

RESOLUTION NO. R-98- 1300

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 79-161.3
TO APPROVE A DEVELOPMENT ORDER AMENDMENT
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-90-1323
WHICH APPROVED THE SPECIAL EXCEPTION OF
CORONET DEVELOPMENT CORP.
PETITION NO. 79- 161B

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, systematic monitoring and review of approved zoning actions help implement the goals and objectives of the Comprehensive Plan.

WHEREAS, the notice and hearing requirements as provided for in Section 5.8 of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, pursuant to Section 5.8, Status Report SR 79-161.3 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on August 27, 1998; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 79- 161.3 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, Section 5.8 of the Palm Beach County Land Development Code authorizes the Board of County Commissioners to add or modify conditions of approval; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The proposed use of the unplatted area of the PUD is consistent with the land use designation of the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.
2. The project complies with the Countywide Traffic Performance Standards.
3. The amendment to conditions of approval is consistent with the Palm Beach County Comprehensive Plan.
4. The amendment to conditions of approval is consistent with the Palm Beach County Unified Land Development Code.3.
5. The Unified Land Development Code requires all land within a Planned Unit Development to be platted.
6. All residential and commercial pods of the PUD have been platted.
7. Only a 1.51 acre parcel to be used for drainage and parking is not yet platted.
8. This condition is needed to ensure that residents of the Planned Unit Development are not at some time in the future required to bear an expense that should be that of the developer.

WHEREAS, Section 5.3 of the Palm Beach County Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that the recommendation of Status Report No. SR 79-161.3, to approve a development order amendment to amend Conditions of Approval of Resolution No. R-90-1322, the Special Exception of Coronet Development Corp., Petition No. 79-161B, which amended the Master Plan for Abbey Park Planned Unit Development and redesign the site, and modified conditions of approval on A PARCEL OF LAND LYING IN SECTION 11, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF ABBEY PARK PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 46, PAGES 180 AND 181, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA; THENCE, SOUTH 01°29'54" WEST, DEPARTING THE BOUNDARY OF SAID PLAT, A DISTANCE OF 16.00 FEET TO THE INTERSECTION OF THE SOUTH RIGHT-OF-WAYLINE OF FOREST HILL BOULEVARD, AS RECORDED IN OFFICIAL RECORDS BOOK 6624, PAGE 1024, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA, FOR A POINT OF BEGINNING.

THENCE, SOUTH 88°30'06" EAST, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF FOREST HILL BOULEVARD, A DISTANCE OF 653.83 FEET; THENCE, SOUTH 45°00'06" EAST, CONTINUING ALONG THE SOUTHERLY RIGHT-OF-WAY OF SAID FOREST HILL BOULEVARD, A DISTANCE OF 55.07 FEET TO THE INTERSECTION THEREOF WITH THE WESTERLY RIGHT-OF-WAY LINE OF HAVERHILL ROAD, AS RECORDED IN OFFICIAL RECORDS BOOK 6624, PAGE 1024, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA; THENCE, SOUTH 01°30'06" EAST, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID HAVERHILL ROAD, AND ALONG A LINE 54.50 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE EAST LINE OF SAID SECTION 11, A DISTANCE OF 226.29 FEET; THENCE, SOUTH 02°18'44" WEST, CONTINUING ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID HAVERHILL ROAD, A DISTANCE OF 172.89 FEET; THENCE, SOUTH 01°30'06" EAST, CONTINUING ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID HAVERHILL ROAD, AND ALONG A LINE 66.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES TO, THE EAST LINE OF SAID SECTION 11, A DISTANCE OF 160.00 FEET; THENCE, SOUTH 88°29'54" WEST, DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE OF SAID HAVERHILL ROAD, A DISTANCE OF 76.91 FEET; THENCE, SOUTH 75°55'26" WEST, A DISTANCE OF 222.97 FEET; THENCE, NORTH 80°30'06" WEST, A DISTANCE OF 307.51 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 100.49 FEET; THENCE, WESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 23°50'00", A DISTANCE OF 41.80 FEET TO THE POINT OF TANGENCY; THENCE, NORTH 56°40'06" WEST, A DISTANCE OF 66.05 FEET; THENCE, NORTH 14°01'12" WEST, A DISTANCE OF 14.66 FEET TO A POINT ON A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 239.00 FEET, AND WHOSE RADIUS POINT BEARS NORTH 63°45'58" WEST; THENCE, NORTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 35°17'08", A DISTANCE OF 147.19 FEET TO THE POINT OF TANGENCY; THENCE, NORTH 09°03'06" WEST, A DISTANCE OF 187.15 FEET; THENCE, NORTH 01°29'54" EAST, A DISTANCE OF 226.77 FEET TO THE POINT OF BEGINNING, LESS PLATS RECORDED AS FOLLOWS: PLAT BOOK 40, PAGES 92-93; PLAT BOOK 45, PAGES 136-137; PLAT BOOK 59, PAGES 134-135; PLAT BOOK 65, PAGES 89-90; AND PLAT BOOK 67, PAGES 184-186, being located on the southwest corner of Forest Hill Boulevard and Haverhill Road in the RM-Multiple Family Residential (Medium Density) Zoning District, is approved, subject to the following conditions:

1. All previously approved conditions of approval contained in Resolutions R-90-1323 (Petition 79-161B), R-93-1534 (CR 79-161B/3), R- 95-717 (SR 79-161.2), and R-96-389 (CR 79-161B/9) continue to apply unless expressly modified herein. (ONGOING)

2. On or before September **15**, 1998, Gary Posner, the developer, shall provide the Palm Beach County Engineering Department with acceptable surety for all actions required to prepare and record the last plat for the Abbey Park PUD. This surety shall be in the form of an irrevocable Performance Security, acceptable to the County Attorney. The County Engineer shall be authorized to draw against the Performance Security in any amount necessary to prepare and record the plat by giving thirty (30) days prior written notice to Gary Posner of the County's intention to draw funds against the Performance Security. No administrative time extension shall be granted for this condition. (DATE: MONITORING - Eng)

Commissioner **Marcus** moved for approval of the Resolution.

The motion was seconded by Commissioner **Foster** and, upon being put to a vote, the vote was as follows:

BURT AARONSON, CHAIRMAN	—	Aye
MAUDE FORD LEE, VICE CHAIR	—	Absent
KEN FOSTER	—	Aye
KAREN T. MARCUS	—	Aye
MARY MCCARTY	—	Absent
WARREN H. NEWELL	—	Aye
CAROL ROBERTS	—	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 27 day of August, 1998.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 
COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK

BY: 
DEPUTY CLERK

