

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 1985-113B.10
TO APPROVE A DEVELOPMENT ORDER AMENDMENT
FOR PROPERTY PREVIOUSLY GRANTED A CONDITIONAL USE "A" BY
RESOLUTION NO. R-94-12
APPROVING THE PETITION OF WILLIAM AND DAPHNE CLEVE
PETITION NO. 1985-113(B)

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; and

WHEREAS, the notice and hearing requirements as provided for in Article 2.E. of the Palm Beach County Unified Land Development Code have been satisfied; and

WHEREAS, pursuant to Article 2.E., Status Report SR 1985-113B.10 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on January 26, 2006; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 1985-113B.10 and considered testimony, and the recommendations of the various county review agencies; and

WHEREAS, Article 2.E. of the Palm Beach County Unified Land Development Code authorizes the Board of County Commissioners to approve development order amendments; and

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

1. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and Unified Land Development Code.
2. Traffic circulation in the vicinity of the site will benefit from a unified plan of development for the abutting properties with same ownership.

WHEREAS, Section 5.3 of the 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 1985-113B.10, to approve a Development Order Amendment to amend Conditions of Approval of Resolution No. R-94-12 the development order previously granted by the approval of the petition of William and Daphne Cleve, Petition No. 1985-113(B), confirmed by the adoption of Resolution R-94-12, which approved a rezoning to the Community Commercial (CC) zoning district with a Conditional Overlay Zone (COZ), on property legally described in Exhibit A, being located on the northeast corner of Hypoluxo Road and High Ridge Road is approved subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein.
2. The site shall be developed as part of a unified site plan with the abutting property to the east

and under a single development order consisting of approximately 4.33 acres.(DRO - ZONING - Zoning)

Commissioner Koons moved for approval of the Resolution.

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

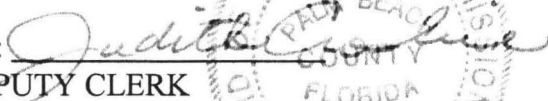
TONY MASILOTTI, CHAIRMAN	—	Absent
ADDIE L. GREENE, VICE CHAIRPERSON	—	Absent
JEFF KOONS	—	Aye
WARREN H. NEWELL	—	Absent
MARY MCCARTY	—	Aye
BURT AARONSON	—	Aye
KAREN T. MARCUS	—	Aye

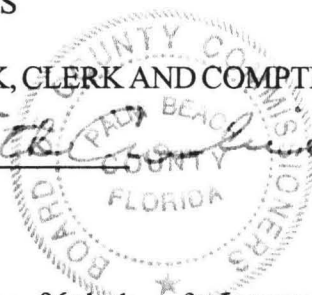
The Chair thereupon declared the resolution was duly passed and adopted this 26th day of January, 2006.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 
COUNTY ATTORNEY

SHARON R. BOCK, CLERK AND COMPTROLLER
BY: 
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 26th day of January, 2006.

EXHIBIT A
LEGAL DESCRIPTION

PARCEL "A"

LEGAL DESCRIPTION

A PARCEL BEING A PORTION OF THE SOUTHWEST QUARTER (S.W. 1/4) OF THE SOUTHWEST QUARTER (S.W. 1/4) OF THE SOUTHWEST QUARTER (S.W. 1/4) OF SECTION 4, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA. SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHWEST CORNER OF SAID SECTION 4 RUN N02°18'16"W ALONG THE WEST LINE OF SAID SECTION 4 A DISTANCE OF 348.39 FEET; THENCE S89°50'23"E A DISTANCE OF 40.03 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF HIGH RIDGE ROAD (80.00 FEET WIDE) AND POINT OF BEGINNING. CONTINUE THENCE S89°50'23"E ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 223.50 FEET; THENCE S02°18'16"E PARALLEL WITH SAID EASTERLY RIGHT-OF-WAY LINE OF HIGH RIDGE ROAD A DISTANCE OF 293.60 FEET; THENCE N90°00'00"W ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF HYPOLUXO ROAD (108 FEET WIDE) A DISTANCE OF 199.46 FEET; THENCE N46°09'08"W A DISTANCE OF 34.64 FEET; THENCE N02°18'16"W ALONG THE EASTERLY RIGHT-OF-WAY LINE OF HIGH RIDGE ROAD A DISTANCE OF 270.21 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.500 ACRES.

SFRN PROJECT #93051
AUGUST 11, 1993

85-113B