

RESOLUTION NO. R-80-95

RESOLUTION APPROVING ZONING PETITION

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, the notice and hearing requirements as provided for in Chapter 402.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 79-290 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 27 December 1979; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various county review agencies and the recommendations of the Planning Commission; and

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

1. The proposal would be in harmony and compatible with the present and future development of the area concerned
2. The proposal would conform to the character of the district and its peculiar suitability for particular uses
3. The proposal would not be disruptive to the character of the neighborhoods or adverse to playgrounds, parks, schools and recreation areas

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this **27th** day of December, **1979**, that Petition No. 79-290 the petition of SUNNY SOUTH ESTATES, INC., by Henry Skokowski, Agent, for THE FURTHER SPECIAL EXCEPTION TO ALLOW THE CONTINUATION AND EXPANSION OF AN EXISTING MOBILE HOME RENTAL PARK on PARCEL I: A

parcel of land in Section 18, Township 45 South, Range 43 East, being more particularly described as follows: Commencing at the East 1/4 corner of said Section 18, thence South 89°05'09" West (for convenience, all bearings described herein refer to an assumed bearing of North 01°44'21" East along the East line of said Section 18) along the North line of the Southeast 1/4 of said Section 18, a distance of 1351.46' to the Point of Beginning; thence South 01°44'21" West a distance of 1270.17' along a line parallel with and 1350.0' (as measured at right angles) Westerly of the East line of said Section 18, thence South 88°59'55" West along the Northerly right-of-way of N.W. 22nd Avenue, a distance of 803.45', thence South 01°44'21" West a distance of 50.06', thence South 88°59'55" West a distance of 180.60', thence North 21°00'05" West a distance of 53.20', thence South 89°59'55" West a distance of 59.96', thence North 21°00'05" West a distance of 113.78', thence North 88°59'55" East a distance of 7.87', thence North 01°44'21" East a distance of 135.23', thence North 88°59'55" East a distance of 19.45', thence North 01°44'21" East a distance of 735.24', thence North 20°54'51" West a distance of 113.45', thence North 01°44'21" East a distance of 19.91', thence North 20°54'51" West a distance of 178.25', thence North 89°05'09" East along the North line of the Southeast 1/4 of said Section 18, a distance of 1193.74' to the Point of Beginning, together with the following described parcel lying in Sections 18 and 19, Township 45 South, Range 43 East. PARCEL II: Commencing at the East 1/4 corner of said Section 18, thence South 89°05'09" West along the North line of the Southeast 1/4 of said Section 18, a distance of 1351.46', thence South 01°44'21" West along a line parallel with and 1350.0' (as measured at right angles) Westerly of the East line of said Section 18, a distance of 1370.28' to the Southerly right-of-way of N.W. 22nd Avenue and the Point of Beginning; thence continue South 01°44'21" West a distance of 1270.15' to a point on the North line of Section 19, Township 45 South, Range 43 East, lying 1351.64' Westerly (as measured along the North line of said Section 19) of the Northeast corner of said Section 19, thence continue South 01°44'21" West a distance

of 1253.52' to a line 70.0' Northerly of (as measured at right angles) and parallel with the South line of the North 1/2 of the Northeast 1/4 of said Section 19, thence South 88°51'40" West, along said parallel line, a distance of 1081.30', thence North 01°44'21" East a distance of 1284.53' to a line 30.0' Northerly of (as measured at right angles) and parallel with the North line of said Section 19, thence North 88°54'46" East along said parallel line a distance of 50.33', thence North 21°05'14" West a distance of 129.83', thence North 88°54'46" East a distance of 37.98', thence North 21°05'14" West a distance of 97.90', thence North 01°44'21" East a distance of 785.15', thence North 88°59'55" East a distance of 44.74', thence North 21°00'05" West a distance of 130.89', thence North 88°59'55" East a distance of 55.67', thence North 21°00'05" West a distance of 126.70', thence North 88°59'55" East a distance of 277.15', thence continue North 89°59'55" East along the Southerly right-of-way of N.W. 22nd Avenue, a distance of 803.45' to the Point of Beginning, Both of the aforescribed parcels are subject to easements and rights-of-way of record; TOGETHER WITH the West 1/2 of the Northwest 1/4 of the Southeast 1/4 of the Southwest 1/4, LESS the South 264 feet thereof; the West 1/4 of the Northeast 1/4 of the Southwest 1/4, LESS the North 495 feet of the West 132 feet thereof; the South 1/4 of the Northwest 1/4 of the Northwest 1/4 of the Southwest 1/4; the North 1/2 of the Southwest 1/4 of the Southwest 1/4, LESS the South 264 feet thereof; the East 1/2 of the Northwest 1/4 of the Southwest 1/4, LESS the North 495 feet thereof; and the Southwest 1/4 of the Northwest 1/4 of the Southwest 1/4, all being in Section 18, Township 45 South, Range 43 East; ALSO: the South 1/2 of the Southeast 1/4 of the Northwest 1/4; the Northeast 1/4 of the Southeast 1/4 of the Northwest 1/4; the Southeast 1/4 of the Northeast 1/4 of the Northwest 1/4; the East 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4; the East 3/4 of the North 1/2 of the Southeast 1/4 of the Southwest 1/4; the East 3/4 of the Northeast 1/4 of the Southwest 1/4; the West 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4; the East 1/2 of the Southwest 1/4 of the Southeast 1/4 of the Southwest 1/4, all in Section 18, Township 45 South, Range 43 East; Together with

the following described parcel: Commencing at the East 1/4 corner of said Section 18, thence South 89°05'09" West along the North line of the Southeast 1/4 of said Section 18, a distance of 1351.46 feet, thence South 01°44'21" West along a line parallel with and 1350.0 feet (as measured at right angles) Westerly of the East line of said Section 18, a distance of 2640.43 feet to a point on the North line of Section 19, Township 45 South, Range 43 East, lying 1351.64 feet Westerly (as measured along the North line of said Section 19) of the Northeast corner of said Section 19, thence continue South 01°44'21" West a distance of 1253.52 feet to a line 70.0' Northerly of (as measured at right angles) and parallel with the South line of the North 1/2 of the Northeast 1/4 of said Section 19, thence South 88°51'40" West, along said parallel line, a distance of 1081.30 feet to the Point of Beginning, thence North 01°44'21" East a distance of 1284.53 feet to a line 30.0 feet Northerly of (as measured at right angles) and parallel with the North line of said Section 19, thence North 88°54'46" East along said parallel line a distance of 50.33 feet, thence North 21°05'14" West a distance of 129.83 feet, thence North 88°54'46" East a distance of 37.98 feet, thence North 21°05'14" West a distance of 97.90 feet, thence North 01°44'21" East a distance of 785.15 feet, thence North 88°59'55" East a distance of 44.74 feet, thence North 21°00'05" West a distance of 130.89 feet, thence North 88°59'55" East a distance of 55.67 feet, thence North 21°00'05" West a distance of 126.70 feet, thence North 88°59'55" East a distance of 277.15 feet, thence North 01°44'21" East a distance of 50.06 feet, thence South 88°59'55" West a distance of 100.60 feet, thence North 21°00'05" West a distance of 53.20 feet, thence South 89°59'55" West a distance of 59.96 feet, thence North 21°00'05" West a distance of 113.78 feet, thence North 88°59'55" East a distance of 7.87 feet, thence North 01°44'21" East a distance of 135.23 feet, thence North 88°59'55" East a distance of 19.45 feet, thence North 01°44'21" East a distance of 735.24 feet, thence North 20°54'51" West a distance of 113.45 feet, thence North 01°44'21" East a distance

of 19.91 feet, thence North 20°54'51" West a distance of 178.25 feet, thence South 89°05'09" West along the North line of the Southeast 1/4 of said Section 18, a distance of 3.0 feet to the center of said Section 18, thence South 02°33'14" West along the West line of the Southeast 1/4 of said Section 18, a distance of 2646.17 feet to the South 1/4 corner of said Section 18, thence South 00°13'10" West along the West line of the Northwest 1/4 of the Northeast 1/4 of said Section 19, a distance of 1323.42 feet to the South line of the Northwest 1/4 of the Northeast 1/4 of said Section 19, thence North 88°51'40" East along said South line of the Northwest 1/4 of the Northeast 1/4 of Section 19, a distance of 118.19 feet, thence North 01°44'21" East a distance of 70.09 feet to the Point of Beginning; SUBJECT TO easements and rights-of-way of record. Said property located approximately .2 mile west of Congress Avenue, approximately 585 feet south of L.W.D.D. Canal L-20, being bounded, in part, on the west by Lawrence Road, and bounded, in part, on the south by Boynton Canal, was approved as advertised subject to the following conditions:

1. Petitioner shall convey to Palm Beach County one hundred eight (108) feet for the ultimate right-of-way for N.W. 22nd Avenue.
2. Petitioner shall construct N.W. 22nd Avenue from its existing terminus west to Lawrence Road.
3. Petitioner shall construct at the intersection of N.W. 22nd Avenue and Lawrence Road:
  - a. Left turn lane, east approach.
  - b. Right turn lane, east approach.
  - c. Right turn lane, south approach.
  - d. Left turn lane, north approach.
4. Petitioner shall construct on N.W. 22nd Avenue at the existing main access road:
  - a. Left turn lane, east approach.
  - b. Left turn lane, west approach.
5. Petitioner shall construct on N.W. 22nd Avenue at the proposed main access road:
  - a. Left turn lane, east approach.
  - b. Left turn lane, west approach.
  - c. One lane entering and two lanes exiting the project.
6. Petitioner shall provide a plan for the drainage system prior to Site Plan approval.
7. Petitioner shall contribute the pro rata share for the cost of signaling the intersection of N.W. 22nd Avenue and Congress Avenue, when warranted, as determined by the County Engineer.

8. Petitioner shall contribute One Hundred Thirty-eight Thousand Seventy-five Dollars (\$138,075.00) toward the cost of meeting this project's direct and identifiable traffic impact, to be paid at the time of issuance of a building permit(s). The fee schedule for this project has been calculated in accordance with Ordinance 79-7 as follows:

Mobile Home - \$175.00/unit

9. The Lake Worth Drainage District will require the required rights-of-way for Lateral Canals No. 21 and 22 and the Boynton Canal as follows:

L-21 -The South 15.00 feet of the Southeast 1/4 of the Northwest 1/4 of Section 18, Township 45 South, Range 43 East and the North 70.00 feet of the Northeast 1/4 of the Southwest 1/4 of said Section 18 and the North 70.00 feet of the Southeast 1/4 of said Section 18, LESS the East 1350.00 feet thereof.

L-22 -The South 20.00 feet of the East 3/4 of the Southeast 1/4 of the Southwest 1/4 of Section 18, Township 45 South, Range 43 East.

Boynton Canal -Petitioner shall provide right-of-way easements in accordance with the terms agreed to at the Lake Worth Drainage District Board Meeting on 12 December 1979.

10. Petitioner shall enter into a formal contract with the School Board of Palm Beach County to contribute four-tenths (4/10) of one percent (1%) of the selling price of each residential dwelling unit in this planned unit development on a one time initial sales basis. However, if an ordinance dealing with this subject matter is adopted, this condition will be superseded by that ordinance; except that regardless of the form or status of any ordinance, this development shall be required to provide as a minimum the above 4/10ths of 1% of the initial sales price toward alleviating some of the development's school impact.
11. Petitioner shall preserve all possible trees on site.
12. The southernmost portion of the area proposed to be developed abutting and immediately North of the L-22 Canal is to be developed as the final phase with an anticipated build-out of approximately four (4) years.
13. There shall be no access across the L-22 Canal by either construction workers or residents of Sunny South Estates.
14. A portion of the subject mobile home rental park must be reserved for occupancy by families with children.
15. Petitioner shall comply with the provisions of the Palm Beach County Zoning Code relating to dedication of civic land.

Commissioner Koehler, moved for approval of the petition.  
The motion was seconded by Commissioner Evatt, and upon being  
put to a vote, the vote was as follows:

Bill Bailey, Chairman		No
Dennis Koehler, Vice Chairman	-	Yes
Peggy B. Evatt, Member		Yes
Frank H. Foster, Member		Yes
Norman R. Gregory, Member	-	No

The foregoing resolution was declared duly passed and adopted  
this 15th day of January, 1980, confirming action of  
27 December 1979.


PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: 

Deputy Clerk

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

  
County-Attorney

