

RESOLUTION NO. R-89- 706

RESOLUTION APPROVING ZONING PETITION NO. 86-32(E)
SPECIAL EXCEPTION PETITION OF DBG 95, INC.

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. 86-32(E) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on August 25, 1988; 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, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner; and

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

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 86-32 the petition of DBG 95, INC., by Guerry Stribling, Agent, for a SPECIAL EXCEPTION TO AMEND THE MASTER PLAN FOR WELLINGTON PLANNED UNIT DEVELOPMENT TO PROVIDE AN ADDITIONAL ACCESS FROM FOREST HILL BOULEVARD TO TRACT 6A on a parcel of land lying on a portion of Block 14, according to the Plat of South Shore No. 1 of Wellington as recorded in Plat Book 29, Pages 222 through 226 inclusive, said parcel including all of Lot 1, all of Lot 2, described as follows:

Beginning at the most Northerly corner of said Block 14; thence along the Easterly boundary of said Block 14, being on the arc of a curve running Southeasterly to the right, having a radius of 4486.36 feet and a central angle of 00 degrees 50' 38" run Southeasterly 66.08 feet to a point of tangency; thence run South 29 degrees 45' 08" East 670 feet along said Easterly boundary of

Block 14, being the tangent extended to a Point of Curvature of a Curve to the right; thence along the arc of said curve to the right, having a radius of 25 feet and a central angle of 90 degrees 00' 00" run Southwesterly 39.27 feet to a point of tangency on the Southerly boundary of said Block 14; thence run South 60 degrees 14' 52" West 23.62 feet along said Southerly boundary being the tangent extended, to a Point of Curvature of a Curve to the left; thence along said Southerly boundary, on the arc of said curve to the left, having a radius of 1255.75 feet and a central angle of 10 degrees 25' 37" run Southwesterly 228.53 feet; thence run North 30 degrees 35' 10" West 323.43 feet; thence run South 59 degrees 24' 50" West 331.51 feet, to an intersection with the Westerly boundary of said Block 14; thence run North 20 degrees 34' 47" West 76.77 feet along said Westerly boundary to a Point of Curvature of a Curve to the left; thence along said Westerly boundary on the arc of said curve to the left having a radius of 1172.14 feet and a central angle of 10 degrees 00' 27" run Northeasterly 204.73 feet to a Point of Tangency; thence run North 30 degrees 35' 14" West 175.00 feet along the tangent extended, to the Northwesterly corner of said Block 14; thence run North 59 degrees 24' 46" East 587.10 feet along the Northerly boundary of said Block 14, to the Point of Beginning, being located at the southwest corner of the intersection of Forest Hill Boulevard and Montauk Drive, in an AR-Agricultural Residential Zoning District, was approved as advertised, subject to the following conditions:

1. The petitioner shall comply with all previous conditions of approval unless expressly modified herein.
2. Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site.
3. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water.
4. The property owner shall construct a left turn lane south approach and a right turn lane north approach on Forest Hill Boulevard concurrent with onsite paving and drainage improvements. Construction shall be completed prior to the issuance of a Certificate of Occupancy.
5. The subject site shall be platted in accordance with Palm Beach County Subdivision & Platting Regulations 33-4 as amended.
6. Failure to comply with the conditions herein may result in the denial or revocation of a building permit; the issuance of a stop work order; the denial of a Certificate of Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer-owner, commercial-owner, lessee, or

user of the subject property. Appeals from such action may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Palm Beach County Zoning Code. Violations of the conditions herein shall constitute violations of the Palm Beach County Zoning Code.

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

Carol A. Roberts	--	Aye
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Absent
Jim Watt	--	Aye

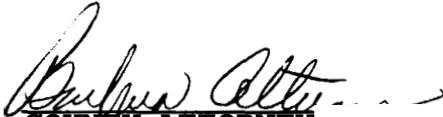
The foregoing resolution was declared duly passed and adopted this 25th day of April, 1989 confirming action of August 25, 1988.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

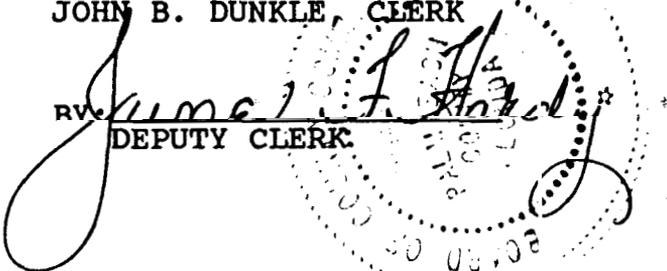
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY :


COUNTY ATTORNEY

BY :


DEPUTY CLERK