

RESOLUTION APPROVING ZONING PETITION DOA81-006(A)  
DEVELOPMENT ORDER AMENDMENT  
PETITION OF PBC FD&O  
BY ANNA COTTRELL, AGENT  
(BOCAIRE TRACT G)

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

WHEREAS, the notice and hearing requirements, as provided for in Article 5 of the Palm Beach County Unified Land Development Code, have been satisfied; and

WHEREAS, Zoning Petition DOA81-006(A) was presented to the Board of County Commissioners at a public hearing conducted on October 26, 2000; and

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

WHEREAS, this approval is subject to Article 5, Section 5.8 (Compliance with Time Limitations), of the Palm Beach County Unified Land Development Code 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 Development Order Amendment is consistent with the Palm Beach County Comprehensive Plan.
2. This Development Order Amendment complies with the relevant and appropriate portions of Article 6, Supplementary Use Standards; of the Palm Beach County Unified Land Development Code.
3. This Development **Order Amendment** is consistent with the requirements of the Palm Beach County Unified Land Development Code.
4. This Development Order Amendment, with conditions as adopted, is compatible as defined in the Palm Beach County Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
5. This Development Order Amendment, with conditions as adopted, complies with the standards imposed on it by applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.
6. This Development **Order Amendment** meets applicable local land development regulations.
7. This Development Order Amendment, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.

8. This Development Order Amendment has a concurrency determination and complies with Article 11 (Adequate Public Facility Standards) of the Palm Beach County Unified Land Development Code.
9. This Development Order Amendment, with conditions as adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
10. This Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.

WHEREAS, Article 5 of the Palm Beach County Unified 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 Zoning Petition DOA81-006(A), the petition of PBC FD&O, by Anna Cottrell, agent, for a Development Order Amendment (DOA) to delete land area on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on October 26, 2000, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Masilotti moved for the approval of the Resolution.

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

Maude Ford Lee, Chair		Absent
Warren Newell, Vice Chair	-	Aye
Karen T. Marcus		Absent
Carol A. Roberts		Aye
Mary McCarty	-	Aye
Burt Aaronson		Aye
Tony Masilotti		Aye

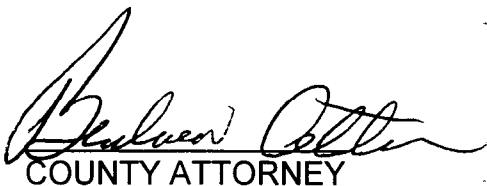
The Chair thereupon declared that the resolution was duly passed and adopted on October 26, 2000.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:

  
COUNTY ATTORNEY

BY:

  
DEPUTY CLERK

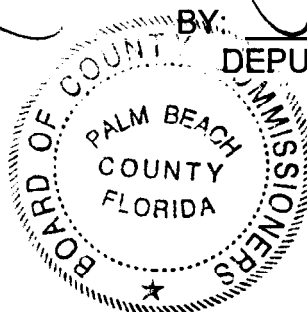


EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 36, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA BEING A PORTION OF TRACT G, BOCAIRE GOLF CLUB NO. 3, RECORDED IN PLAT BOOK 49, PAGE 153, PUBLIC RECORDS OF SAID PALM BEACH COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF TRACT G, BOCAIRE GOLF CLUB NO. 3, RECORDED IN PLAT BOOK 49, PAGE 153, PUBLIC RECORDS OF SAID PALM BEACH COUNTY;

THENCE NORTH 62° 15' 00" EAST, A DISTANCE OF 92.33 FEET TO THE BEGINNING OF A CURVE WHOSE RADIUS POINT BEARS SOUTH 27° 45' 00" EAST, A DISTANCE OF 575.00 FEET;

THENCE EAST ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22° 08' 38" A DISTANCE OF 222.23 FEET TO A POINT ON A NON-TANGENT LINE;

THENCE SOUTH 25° 57' 00" EAST, A DISTANCE OF 175.61 FEET TO THE BEGINNING OF A CURVE WHOSE RADIUS POINT BEARS NORTH 64° 03' 00" EAST, A DISTANCE OF 825.00 FEET;

THENCE SOUTHEAST ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 23° 28' 47" A DISTANCE OF 338.08 FEET TO A POINT ON A NON-TANGENT LINE;

THENCE SOUTH 24° 52' 00" WEST, A DISTANCE OF 105.09 FEET;

THENCE SOUTH 2° 03' 45" WEST, A DISTANCE OF 184.25 FEET TO A POINT ON A NON-TANGENT CURVE, WHOSE RADIUS POINT BEARS SOUTH 8° 47' 04" WEST A DISTANCE OF 2400.00 FEET;

THENCE WEST ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 5° 22' 24, A DISTANCE OF 225.08 FEET (THE PREVIOUS COURSES FOLLOW THE BOUNDARY OF SAID TRACT G);

THENCE NORTH 0° 00' 00" EAST, A DISTANCE OF 193.97 FEET (THE REMAINDER OF THE COURSES FOLLOW THE BOUNDARY OF SAID TRACT G AND ITS PROLONGATION);

THENCE NORTH 89° 40' 13" WEST, A DISTANCE OF 174.00 FEET;

THENCE SOUTH 0° 00' 00" EAST, A DISTANCE OF 190.50 FEET;

THENCE NORTH 89° 40' 13" WEST, A DISTANCE OF 91.82 FEET;

THENCE NORTH 0° 00' 00" EAST, A DISTANCE OF 335.60 FEET;

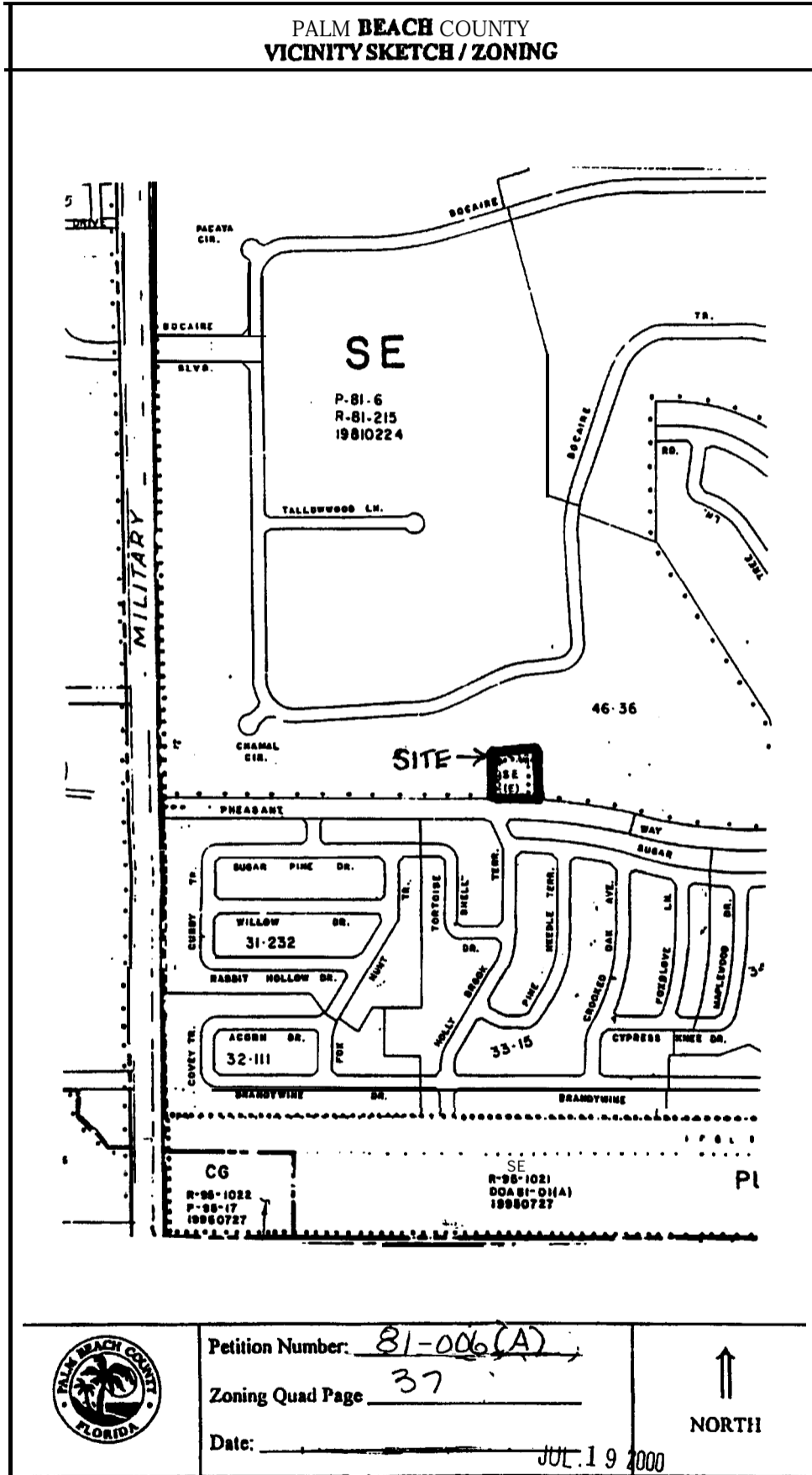
THENCE NORTH 29° 33' 27" WEST, A DISTANCE OF 48.80 FEET;

THENCE NORTH 3° 18' 00" WEST, A DISTANCE OF 190.05 FEET TO THE POINT OF BEGINNING.

CONTAINS: 5.820 ACRES, MORE OR LESS.

EXHIBIT B

VICINITY SKETCH



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## EXHIBIT C

### CONDITIONS OF APPROVAL

NOTE: There are no conditions B, C, or D. Engineering is always E and Compliance **is** always last.

#### A. ALL PETITIONS

1. All conditions of approval contained in Resolution R-81 -0215, Petition 81-006, however, shall remain in full force and effect. (MONITORING)

#### E. ENGINEERING

1. On or before October 1, 2001 the property owner shall Replat "Parcel G." (DATE: MONITORING-Eng)

#### F. COMPLIANCE

1. In granting this approval, the Board of County Commissioners relied upon the oral and written representations of the petitioner both on the record and as part of the application process. Deviations from or violation of these representations shall cause the approval to be presented to the Board of County Commissioners for review under the compliance condition of this approval. (ONGOING: MONITORING - Zoning)
2. Failure to comply with any of the conditions of approval for the subject property at any time may result in:
  - a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy; the denial of any other permit, license or approval to any developer, owner, lessee, or user of the subject property; the revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; revocation of any concurrency; and/or
  - b. The revocation of the **Official** Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
  - c. A requirement of the development to conform with the standards of the ULDC at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions; and/or
  - d. Referral to code enforcement; and/or
  - e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of **PZ&B** or a majority vote of the Code Enforcement Board to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 5.8 of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval.