

RESOLUTION NO. R-95- 527

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 84-98.4
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-89-954
WHICH APPROVED THE SPECIAL EXCEPTION OF
HUGH JANOW, TRUSTEE
PETITION NO. 84-98(A)

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 84-98.4 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on April 27, 1995; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 84-98.4 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. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations; and
2. The new condition provides a mechanism to eliminate the land use inconsistency.

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 84-98.4, to amend Conditions of Approval of Resolution No. R-89-954, the Special Exception of Hugh Janow, Trustee, Petition No. 84-98(A), which granted a Special Exception to permit a Planned Unit Development (Orange Point) on a parcel in the southerly portion of Section 23, Township 44 South, Range 41 East, described as follows: COMMENCING at the northwest corner of Section 23; thence South 00°18'37" East (stateplane grid bearing datum) along the easterly line of the Acme Drainage District's Canal right of way as recorded in Official Record Book 1548, Page 388, 2,605.43 feet to the POINT OF BEGINNING; thence South 00°18'37" East along said line 2,826.26 feet to a point 228.05 feet east of the southwest corner of Section 23, and 4.85 feet north of the south line of Section 23; thence South 88°31'54" East, 5,273.93 feet to a point on the east line of Section 23, and 11.45 feet north of the southeast corner of Section 23; thence North 00°33'33" West along the east line of said Section, 2,712.62 feet to the East 1/4 corner of Section 23; thence North 02°15'48"

East along said east line, **88.08** feet: thence North **88°14'59"** West, **5,266.96** feet to the POINT OF BEGINNING, containing **340.06** acres, more or less; TOGETHER WITH a parcel in Section **26**, Township **44** South, Range **41** East, described as follows: BEGINNING at the southwest corner of Section **26**; thence South **88°28'00"** East (state plan grid bearing datum) along the south line of said Section, **5,408.17** feet to a point on a line that is **37.5** feet west of and parallel with the east line of Section **26**; thence North **02°39'49"** East along said parallel line, **2,740.73** feet to the south line of a parcel as described in O.R.B. **986**, Page **210**; thence North **88°57'19"** West along the south line of said parcel, **1,534.53** feet to the southeast corner thereof; thence North **02°39'49"** East along the west line of said parcel, **2,674.91** feet to a point on the south line of a parcel as described in Official Record Book (O.R.B.) **3203**, Page **1846**, as parcel III; thence North **88°31'54"** West along said south line, **3,694.94** feet to the west line of the Acme Drainage District's canal right of way as monumented and described in O.R.B. **1921**, Page **1331**, of said public records: thence South **04°33'44"** West along said east line, **5,404.86** feet to the POINT OF BEGINNING, containing **565.37** acres, more or less; TOGETHER WITH all of Section **34**, Township **44** South, Range **41** East, containing **656.36** acres, more or less: all of the above parcels subject to the Acme Drainage District Canal reservations as recorded in Deed Book **1037**, Pages **686-692.**, being located on the north and south sides of the proposed Lake Worth Road extension, approximately **1.3** miles west of State Road **7** (SR **441**) in the RE-Residential Estate Zoning District, is approved, subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein.
2. On or before September **1**, **1995**, the property owner shall submit a petition for an amendment to the Future Land Use Map. The purpose of this petition is to resolve inconsistency issues.

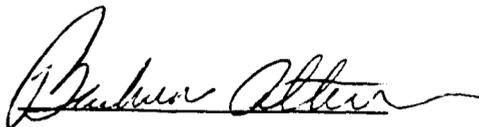
Commissioner **Marcus** moved for approval of the Resolution.

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

KEN FOSTER, CHAIR	Absent
BURT AARONSON	Aye
MAUDE FORD LEE	Absent
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 27th day of April, **1995**.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: 

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKINSON, CLERK

BY: 
DEPUTY CLERK

