

RESOLUTION NO. R-95-717

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 79-161.2
TO AMEND CONDITIONS OF APPROVAL OF
RESOLUTION NOS. R-90-1322
WHICH APPROVED THE SPECIAL EXCEPTION OF
CORONET DEVELOPMENT CORP.
PETITION NO. 79-161(8)

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 79-161.2 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on May 25, 1995; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 79-161.2 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 conditions listed below require this petition to develop more in conformity with current standards of development.

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 79-161.2, to amend Conditions of Approval of Resolution No. R-90-1322, the Special Exception of Coronet Development Corp., Petition No. 79-161(8), which amended the Master Plan for Abbey Park Planned Unit Development and redesigned the site, and modified conditions of approval on a parcel of land lying in the South 1/2 of the Southeast 1/4 of Section 11, Township 44 South, Range 42 East; Said parcel of land being more particularly described as follows:

Commencing at the most Southerly corner of Tract "T-1" (Abbey Park), as shown on Abbey Park, Plat No. 1, as recorded in Plat Book 40, Pages 92 and 93; Thence, South 47 degrees 29'00" East, a distance of 103.39 feet to the Point of Curvature of curve to the left, having a radius of 165.00 feet; Thence Southeasterly, Easterly, and Northeasterly, along said curve, through a central

angle of **69 degrees 05'00"**, a distance of **198.95** feet to the point of tangency, thence, North **63 degrees 26'00"** East, a distance of **117.26** feet to the Point of Curvature of a curve to the right, having a radius of **189.00** feet; thence, easterly, along said curve, through a central angle of **26 degrees 34'00"**, a distance of **87.63** feet to the Point of Tangency: thence North **90 degrees 00'00"** East, a distance of **340.01** feet for a POINT OF BEGINNING:

Thence, south **00 degrees 00'00"** West, a distance of **532.24** feet to a point on the Northerly right-of-way line of Lake Worth Drainage District **L-8** Canal, said point lying **40.00** feet Northerly of as measured at right angles to the South line of said Section **11**: thence, North **89 degrees 53'26"** East, along said right-of-way line, a distance of **1036.39** feet; thence, North **03 degrees 00'00"** West, along a line parallel with and **54.00** feet Westerly of, as measured at right angles to the East line of the Southeast **1/4** of said Section **11**, a distance of **1211.31** feet; thence, North **46 degrees 30'00"** West, a distance of **34.43** feet to the Southerly right-of-way line of Forest Hill Boulevard: thence, North **90. degrees 00'00"** West, along said right-of-way line, a distance of **667.73** feet: thence, South **45 degrees 00'00"** West, departing said right-of-way line, a distance of **35.36** feet: thence, South **00 degrees 00'00"** West, a distance of **220.08** feet; thence, South **10 degrees 33'00"** East, a distance of **189.46** feet to the Point of Curvature of a curve to the left having a radius of **214.00** feet: thence, Southwesterly, along said curve, through a central angle of **42 degrees 23'00"**, a distance of **158.30** feet to the Point of Tangency; thence, South **31 degrees 50'00"** West, a distance of **30.40** feet to the Point of Curvature of a curve to the left having a radius of **199.00** feet: thence, Southwesterly along said curve, through a central angle of **58 degrees 10'00"**, a distance of **202.02** feet to the Point of Tangency: thence, South **90 degrees 00'00"** West, a distance of **173.31** feet to the POINT OF BEGINNING, being located on the southwest corner of Forest Hill Boulevard and Haverhill Road in the RM-Multiple Family Residential (Medium Density) Zoning District, is approved, subject to the following conditions:

1. All previous conditions of approval continue to apply unless expressly modified herein.
2. Condition number **3** of Resolutions **R-90-1322** and **90-1323** which currently states:

The petitioner shall execute and record restrictive covenants and agreements against the property limiting its use to low and moderate income housing. The documents shall be subject to approval by the County Attorney's Office and Planning Division prior to Site Plan Review Committee certification of the Master Plan.

The petitioner shall provide to the Planning, Zoning and Building Department an annual report, starting April **1, 1991**, until all units are sold or a minimum of five (**5**) years, which details (e.g. purchase contracts, agreements for sale, lease agreements, lease hold interests and other appropriate documentation as determined by the Department) to the satisfaction of the County Attorney and the Planning, Zoning and Building Department that home prices are in compliance with the restrictive covenants and agreements and that units are exclusively provided to low and moderate income families.

If found in violation of the condition, the petition shall be remanded to the Board of County Commissioners for its review and appropriate action.

Is hereby amended to state:

The petitioner shall execute and record restrictive covenants and agreements against the property limiting

its use to low and moderate income housing. The documents shall be subject to approval by the County Attorney's Office and Planning Division prior to Site Plan Review Committee certification of the Master Plan.

The petitioner shall provide to the Planning, Zoning and Building Department an annual report, starting April 1, 1991, until all units are sold or a minimum of ten (10) years, which details (e.g. purchase contracts, agreements for sale, lease agreements, lease hold interests and other appropriate documentation as determined by the Department) to the satisfaction of the County Attorney and the Planning, Zoning and Building Department that home prices are in compliance with the restrictive covenants and agreements and that units are exclusively provided to low and moderate income families.

If found in violation of the condition, the petition shall be remanded to the Board of County Commissioners for its review and appropriate action.

Commissioner Aaronson 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	<u>Aye</u>
BURT AARONSON	<u>Aye</u>
MAUDE FORD LEE	<u>Aye</u>
KAREN T. MARCUS	<u>Aye</u>
MARY MCCARTY	<u>Aye</u>
WARREN H. NEWELL	<u>Aye</u>
CAROL ROBERTS	<u>Aye</u>

The Chair thereupon declared the resolution was duly passed and adopted this 25th day of May, 1995.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: *Dorothy H. Wilken*

DOROTHY H. WILKEN, CLERK

BY: *Jina M. Blair*
DEPUTY CLERK

