

RESOLUTION NO. R-95- 1318

RESOLUTION APPROVING ZONING PETITION EAC83-58(G)
DEVELOPMENT ORDER AMENDMENT
EXPEDITED APPLICATION CONSIDERATION (EAC)
PETITION OF JOHN B. KENNELLY
BY ROBERT A. BENTZ, AGENT

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 EAC83-58(G) was presented to the Board of County Commissioners at a public hearing conducted on September 28, 1995; 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 therefore 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 EAC83-58(G), the petition of John B. Kennelly, for a Development Order Amendment/Expedited Application Consideration (EAC) to amend the master plan for the Lakes of Boynton PUD to transfer residential units, previously approved 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 September 28, 1995.

commissioner Roberts moved for the approval of the Resolution.

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

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

The Chair thereupon declared that the resolution was duly passed and adopted this 28th day of September, 1995.

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

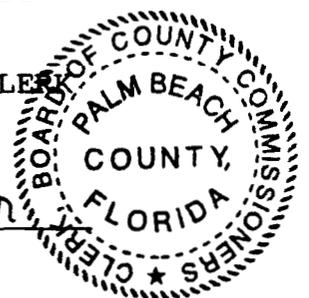


EXHIBIT A

LEGAL DESCRIPTION

On a parcel of land situate Section 22, Township 45 South, Range 42 East, a portion thereof being a portion of Block 48 of the Palm Beach Farms Company's Plat No. 3, as recorded in Plat Book 2, Pages 45 through 54 being more particularly described as follows: Beginning at the Southwest corner of Tract 55 of Block 48 of the Palm Beach Farms Company's Plat No. 3, as recorded in Plat Book 2, Pages 45 through 54, inclusive, thence North 00D57'00" West line of said Block 48, a distance of 2025.00 feet to the centerline of that certain platted road, ditch, and dike reservation (30.00 feet in width) lying between Tracts 24 through 41 and Tracts 32 through 39 all in said Block 48; thence North 89D03'00" East along said centerline a distance of 2788.10 feet to the East Line of the West 1/2 of said Section 22; thence South 00D36'13" East along said East line a distance of 114.12 feet to the South line of the Northeast 1/4 of said Section 22; thence North 89D45'01" East along said South line a distance 2007.32 feet to the East line of the West 3/4 of the Southeast 1/4 of said Section 22; thence South 00D18'55" East along said East line a distance of 2581.35 feet to the existing Northerly right-of-way line of Boynton West Road (State Road 804), as recorded in Road Plat Book 2, Page 5, also being a line of 30.00 feet North of said parallel with the South line of said Block 48; thence North 88D56'40" West along said Northerly right-of-way line a distance of 997.49 feet to the East line of the West 3/4 of the Southwest 1/4 of the Southeast 1/4 of said Section 22; thence North 00D27'36" West along said East line a distance 1228.27 feet to the North line of the Southwest 1/4 of the Southeast 1/4 of said Section 22; thence South 89D34'27" West along said North line a distance of 1000.31 feet to said East line of the West 1/2 of Section 22; thence South 70D09'19" West a distance of 75.20 feet to a line 25.00 feet South of and parallel with the Westerly prolongation of the North line of the Southwest 1/4 of said Section 22; thence South 89D34'27" West along said parallel line a distance of 943.24 feet to the East line of the West 115.00 feet of Tracts 50 & 61 of said Block 48; thence South 00D57'00" East along said East line a distance of 1191.72 feet to said existing Northerly right-of-way line of Boynton West Road; thence South 89D03'00" West along said parallel line a distance of 1105.00 feet to the West line of Tract 58 of said Block 48; thence North 00D57'00" West along said West line a distance of 630.00 feet to the Northeast corner of Tract 57, said Block 48; thence South 89D03'00" West along the North lines of Tracts 56 and 57, said Block 48 a distance of 660.00 feet to the Point of Beginning. Together with a parcel of land situate Section 22, Township 45 South, Range 42 East, a portion thereof being a portion of Block 48 of the Palm Beach Farms Company's Plat No. 3, as recorded in Plat Book 2, Pages 45 through 54, being more particularly described as follows: Beginning at the intersection of the West line of said Block 48 with the Centerline of that certain platted road, ditch, and dike reservation (30.00 feet in width) lying between Tracts 24 through 41 and Tracts 32 through 39 all in said Block 48, thence North 00D57'00" West along the Westerly line of said Block 48 a distance of 1225.00 feet to a line 10.00 feet South of and parallel with the Northerly lines of Tracts 16 through 23 of said Block 48; thence North 89D03'00" East along said parallel line a distance of 2795.50 feet to the East line of the West 1/2 of said Section 22; thence South 00D36'13" East along said East line a distance of 75.69 feet to a line 70.00 feet South of and parallel with the North line of the Southwest 1/4 of the Northeast 1/4 of said Section 22; thence North 89D55'30" East along said parallel line a distance of 1006.85 feet to the East line of the West 3/4 of the last said Southwest 1/4; thence South 00D27'36" East along said East line a distance 595.18 feet to the North line of the South 1/2 of the Northeast 1/4 of said Section 22; thence North 89D50'16" East along said North line a distance of 1005.34 feet to the East line of the West 3/4 of the Southeast 1/2 of said Section 22; thence South 00D18'55" East along said East line a distance of 1005.34 feet to the East line of the West 3/4 of the Southeast 1/4 of said Section 22; thence South 00D18'55" East along said East line a distance of 663.64 feet to the South line of said Northeast 1/4; thence South 89D45'01" West along said South line a distance of 2007.32 feet to said East line of the West 1/2 of said Section 22; thence North 00D36'13" West along said East line a distance of 114.12 feet to the aforesaid centerline of that certain platted road, ditch, and dike reservation (30.00 feet in width) lying between Tracts 24 through 41 and Tracts 32 through 39; thence South 89D03'00" West along said centerline a distance of 2788.10 feet to the Point of Beginning.

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EXHIBIT B
VICINITY SKETCH

