

RESOLUTION APPROVING ZONING PETITION DOA90-30(C)
DEVELOPMENT ORDER AMENDMENT
PETITION OF JOHN KENNELLY
BY ROBERT BENTZ, AGENT
FOUNTAINS OF BOYNTON

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 DOA90-30(C) was presented to the Board of County Commissioners at a public hearing conducted on January 5, 1996; 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 DOA90-30(C) the petition of John Kennelly by Robert Bentz, agent, for a Development Order Amendment (DOA) to amend Conditions R1, R2 and R3 (signs) of Resolution R-94-106, 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 January 5, 1996, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Roberts moved for the approval of the Resolution.

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

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

The Chair thereupon declared that the resolution was duly passed and adopted on January 5, 1996.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: [Signature]
COUNTY ATTORNEY

BY: [Signature]
DEPUTY CLERK



LEGAL DESCRIPTION

LEGAL DESCRIPTION:

A PARCEL OF LAND SITUATE IN SECTION 22, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF BLOCK 48 OF "PALM BEACH FARMS COMPANY'S PLAT NO. 3", AS RECORDED IN PLAT BOOK 2 AT PAGES 45 THROUGH 54, OF THE PUBLIC RECORDS OF SAID PALM BEACH COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF THE WEST 115.00 FEET OF TRACTS 50 AND 61 OF SAID BLOCK 48 WITH A LINE 95.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID BLOCK 48, SAID LINE ALSO BEING THE NORTHERLY RIGHT OF WAY LINE OF BOYNTON WEST ROAD (STATE ROAD 804), AS RECORDED IN OFFICIAL RECORD BOOK 4251 AT PAGE 575 OF THE AFORESAID PUBLIC RECORDS, THENCE NORTH 00°57'00" WEST ALONG SAID EAST LINE OF THE 115.00 FEET A DISTANCE OF 1126.72 FEET; THENCE NORTH 89°34'27" EAST, A DISTANCE OF 944.05 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF JOG ROAD, AS RECORDED IN OFFICIAL RECORD BOOK 4224 AT PAGE 780 OF THE AFORESAID PUBLIC RECORDS; THENCE, ALONG SAID WESTERLY RIGHT OF WAY LINE, SOUTH 00°10'27" EAST, A DISTANCE OF 398.96 FEET; THENCE SOUTH 01°21'48" WEST, A DISTANCE OF 188.59 FEET; THENCE SOUTH 04°36'09" WEST, A DISTANCE OF 211.72 FEET; THENCE SOUTH 00°31'57" EAST, A DISTANCE OF 260.29 FEET; THENCE DEPARTING FROM SAID WESTERLY RIGHT OF WAY LINE, SOUTH 44°15'31" WEST, A DISTANCE OF 56.36 FEET TO A POINT ON THE SAID NORTHERLY RIGHT OF WAY LINE OF BOYNTON WEST ROAD; THENCE ALONG SAID NORTHERLY LINE SOUTH 09°03'00" WEST, A DISTANCE OF 259.47 FEET; THENCE SOUTH 86°11'02" WEST, A DISTANCE OF 400.00 FEET; THENCE SOUTH 09°03'00" WEST, A DISTANCE OF 209.64 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 23.645 ACRES MORE OR LESS.