

RESOLUTION APPROVING ZONING PETITION DOA83-124(A)  
DEVELOPMENT ORDER AMENDMENT  
PETITION OF ROGER MEDEMA  
BY DONALDSON HEARING, AGENT  
(PALM BREEZES CLUB)

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 DOA83-124(A) was presented to the Board of County Commissioners at a public hearing conducted on April 24, 1997; 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 DOA83-124(A), the petition of Roger Medema, by Donaldson Hearing, agent, for a Development Order Amendment (DOA) to add land area (+2.12 acres) and units (+11) to a MHPD 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 April 24, 1997, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Foster 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:

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

The Chair thereupon declared that the resolution was duly passed and adopted on April 24, 1997.

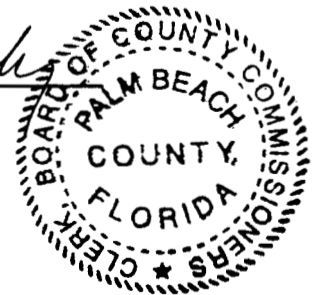
APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:   
COUNTY ATTORNEY

BY:   
DEPUTY CLERK



## EXHIBIT A

### LEGAL DESCRIPTION

#### LEGAL DESCRIPTION OF NEW AREA OF DEVELOPMENT

Commencing at a point 40 feet South of and 31.85 feet North 89°-56'-20" West of the North quarter corner of Section 6, Township 45 South; Range 43 East;  
Thence South along the East line of SEMINOLE MANOR, a subdivision in Palm Beach County, Florida, and recorded in Plat **Book** 25, pages 165 and 166 in the public records of Palm Beach County, for a distance of 1040 feet;  
Thence East at right angles to the preceding course, a distance of 912.40 feet to a point in a curve and the West boundary of a Tract of land as described in Official Record Book 1172, page 498, Palm Beach County records; said point lying on a curve whose center bears North 61°-09'-20" East; said curve being concave to the Northeast and parallel with the Westerly right of way line of Congress Avenue; said curve having a radius of 2442.00 feet, a central angle of 00°-56'-39" and a chord bearing **of South** 29°-20'-00" East;  
Thence Southeasterly, along the arc of said curve, a distance of 40.24 feet **to** the POINT OF BEGINNING;

Thence continue Southeasterly, along the arc of the previously described curve, through a central angle of 6°-41'-48", a distance of 285.42 feet to the end of said curve; said point being on the South line of that certain parcel of land described in Official Record Book 1744, page 508 of the public records of Palm Beach County, Florida;  
Thence North 90°-00'-00" East, along said South line a distance of 31.18 feet;  
Thence South 27°-52'-03" East, a distance of 127.05 feet to a point on the North line of that certain parcel, of **land** described in Official Record **Book** 1929, page 1349 of the public records of Palm Beach County, Florida; said point being on a curve concave to the Southeast whose center bears South 31°-31'-46" East; said curve having a radius of 413.50 feet, a central angle of 28°-25'-08" and a chord bearing of South 44°-15'-40" West;  
Thence Southwesterly, along said North line and the arc of said curve, a distance of 205.10 feet to the end of **said** curve;  
Thence North 57°-00'-00" West, a distance of 205.00 feet;  
Thence North 34°-52'-13" East, a distance of 52.80 feet;  
Thence North 13°-00'-00" West, a distance of 81.00 feet;  
Thence North 31°-00'-00" West, a distance of **90.00** feet;  
Thence North 13°-00'-00" West, a distance of 79.85 feet;  
Thence North 55°-00'-00" East, a distance of 29.13 feet to the point of curvature of a curve to the left; **said** curve having a radius of 47.00 feet, a central angle of 15°-55'-32" and a chord bearing of **North** 47°-02'-14" East;  
Thence Northeasterly, along the arc of said curve, a distance of 13.06 feet to the end of said curve;  
Thence North 49°-00'-00" East, a distance of 132.52 feet to the POINT OF BEGINNING.

Containing: 2.119 Acres, more or less

JAN 22 1997

## EXHIBIT A

### LEGAL DESCRIPTION

#### LEGAL DESCRIPTION

##### PARCEL "A"

Commencing at a point 40 feet South of and 31.85 feet North  $89^{\circ}-56'-20''$  West of the North quarter corner of Section 6, Township 45 South, Range 43 East; said point being the POINT OF BEGINNING of the following described parcel:

Thence South along the East line of SEMINOLE MANOR, a subdivision in Palm Beach County, Florida, and recorded in Plat Book 25, pages 165 and 166 in the public records of Palm Beach County, for a distance of 1040 feet;

Thence East at right angles to the preceding course, a distance of 912.40 feet to a point in a curve and the West boundary of a Tract of land as described in Official Record Book 1172, page 498, Palm Beach County records;

Thence Northwesterly, along the arc of said curve, having a radius of 2442 feet, a delta angle of  $25^{\circ}-35'-52''$  and being concave to the Northeast and parallel with the Westerly right of way line of Congress Avenue for a distance of 1091 feet to a point in a line 40 feet South of the North line of said Section 6;

Thence North  $89^{\circ}-59'-00''$  West, along a line parallel with and 40 South of the North line of said Section 6, a distance of 581.50 feet to a point 40 feet South of the North quarter corner of said Section 6;

Thence North  $89^{\circ}-56'-20''$  West for a distance of 31.85 feet to the POINT OF BEGINNING.

##### ALSO PARCEL "B"

Commencing at a point 40 feet South of and 31.85 feet North  $89^{\circ}-56'-20''$  West of the North quarter corner of Section 6, Township 45 South, Range 43 East;

Thence South along the East line of SEMINOLE MANOR, a subdivision in Palm Beach County, Florida, and recorded in Plat Book 25, pages 165 and 166 in the public records of Palm Beach County, for a distance of 1040 feet to the POINT OF BEGINNING of the following described parcel;

Thence East at right angles to the preceding course, a distance of 912.40 feet to a point in a curve and the West boundary of a Tract of land as described in Official Record Book 1172, page 498, Palm Beach County records;

Thence Southeasterly along the arc of said curve, having a radius of 2442 feet, a delta angle of  $01^{\circ}-32'-30''$ , the chord of said curve bearing South  $29^{\circ}-36'-55''$  East, said curve being concave to the Northeast and parallel with the Westerly right of way line of Congress Avenue for a distance of 65.71 feet;

Thence South  $49^{\circ}$  West for a distance of 92.91 feet to a point of curvature;

Thence Southerly along the arc of a curve concave to the Southeast, having a radius of 25 feet and a delta angle of  $62''$  for a distance of 27.05 feet to the point of tangency;

Thence South  $13''$  East a distance of 211.89 feet;

Thence South  $34^{\circ}-53'-29''$  West for a distance of 86.57 feet;

Thence South for a distance of 100.00 feet;

Thence West at right angles to the preceding course for a distance of 865.00 feet to a point in the East line of said SEMINOLE MANOR subdivision as hereon above described;

Thence North at right angles to the preceding course and along the East line of said SEMINOLE MANOR subdivision for a distance of 520.00 feet to the POINT OF BEGINNING of this parcel.

## EXHIBIT A

### LEGAL DESCRIPTION

#### ALSO PARCEL "C":

A parcel of land lying and being in the County of Palm Beach and the State of Florida further described as lying in Lots 61 and 62 of LAKE OSBORNE, a subdivision of Palm Beach County, Florida, according to the plat thereof as recorded in Plat Book 9, pages 42 and 43 of the public records of Palm Beach county, Florida, and in Section 6, Township 45 South, Range 43 East, said parcel being 80 feet in width. The centerline of said parcel is more particularly described as follows:

Commencing at a point 40 South of and North 89°-56'-20" West, 31.85 feet of the North quarter corner of Section 6, Township 45 South, Range 43 East, said point being the point of beginning of lands described in a deed to Boise Cascade, recorded in the Office of the County Recorder, Palm Beach County, Book 1779 at page 729 of Official records; Thence East along the North line of said land 295 feet to the true POINT OF BEGINNING;

Thence North 300 feet more or less and parallel with the East line of SEMINOLE MANOR, a subdivision of Palm Beach County, Florida, recorded in Plat Book 25, pages 165 and 166 of said county, to a point and terminating on the Southerly right of way line of Lantana Road (State Road No. 812), excepting therefrom the right of way of Lake Worth Drainage District Lateral No. 16.

#### ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS (PARCEL "C"):

A parcel of land lying and being in the County of Palm Beach and the State of Florida further described as lying in Lots 61 and 62 of LAKE OSBORNE, a subdivision of Palm Beach County, Florida, according to the plat thereof, as recorded in Plat Book 9, pages 42 and 43 of the Public records of Palm Beach County, Florida, and in Section 6, Township 45 South, Range 43 East, being more particularly described as follows:

Commencing at a point 40 feet South of and 223.15 feet South 89°-56'-20" East of the North quarter corner of said Section 6, Township 45 South, Range 43 East, said point being the POINT OF BEGINNING of the following described parcel:

Thence North 00°-00'-00" East, a distance of 356.25 feet to a point on the Southerly right of way line of Lantana Road;

Thence South 87°-57'-38" East, along said right of way line a distance of 80.05 feet;

Thence South 00°-00'-00" West, a distance of 353.42 feet;

Thence North 89°-59'-00" West, along a line parallel with and lying 40.00 feet South of the North line of said Section 6, a distance of 80.00 feet to the POINT OF BEGINNING.

Reserving the right of ingress and egress over, on, upon and across subject property for the benefit of the property owners lying Easterly and Westerly thereof until such time as said parcel is accepted by the County and dedicated as a public road.

## EXHIBIT A

### LEGAL DESCRIPTION

#### ALSO PARCEL "D"

Commencing at a point 40 feet South of and 31.85 feet North 89°-56'-20" West of the North quarter corner of Section 6, Township 45 South, Range 43 East;

Thence South along the East line of SEMINOLE MANOR, a subdivision in Palm Beach County, Florida, and recorded in Plat Book 25, pages 165 and 166 in the public records of Palm Beach County, for a distance of 1040 feet;

Thence East at right angles to the preceding course, a distance of 912.40 feet to a point in a curve and the West boundary of a Tract of land as described in Official Record Book 1 172, page 498, Palm Beach County records; said point lying on a curve whose center bears North 61°-09'20" East; said curve being concave to the Northeast and parallel with the Westerly right of way line of Congress Avenue; said curve having a radius of 2442.00 feet, a central angle of 01°-32'-30" and a chord bearing of South 29°-36'-55" East;

Thence Southeasterly, along the arc of said curve, a distance of 65.71 feet to the POINT OF BEGINNING;

Thence continue Southeasterly, along the arc of the previously described curve, through a central angle of 6°-05'-57", a distance of 259.95 feet to the end of said curve; said point being on the South line of that certain parcel of land described in Official Record Book 1744, page 508 of the public records of Palm Beach County, Florida;

Thence North 90°-00'-00" East, along said South line a distance of 31.18 feet;

Thence South 27°-52'-03" East, a distance of 127.05 feet to a point on the North line of that certain parcel of land described in Official Record Book 1929, page 1349 of the public records of Palm Beach County, Florida; said point being on a curve concave to the Southeast whose center bears South 31°-31'-46" East; said curve having a radius of 413.50 feet, a central angle of 28°-25'-08" and a chord bearing of South 44°-15'-40" West;

Thence Southwesterly, along said North line and the arc of said curve, a distance of 205.10 feet to the end of said curve;

Thence North 57°-00'-00" West, a distance of 205.00 feet;

Thence North 34°-52'-13" East, a distance of 86.51 feet;

Thence North 13°-00'-00" West, a distance of 211.89 feet to the point of curvature of a curve to the right; said curve having a radius of 25.00 feet, a central angle of 62°-00'-00" and a chord bearing of North 18°-00'-00" East;

Thence Northerly, along the arc of said curve, a distance of 27.05 feet to the point of tangency;

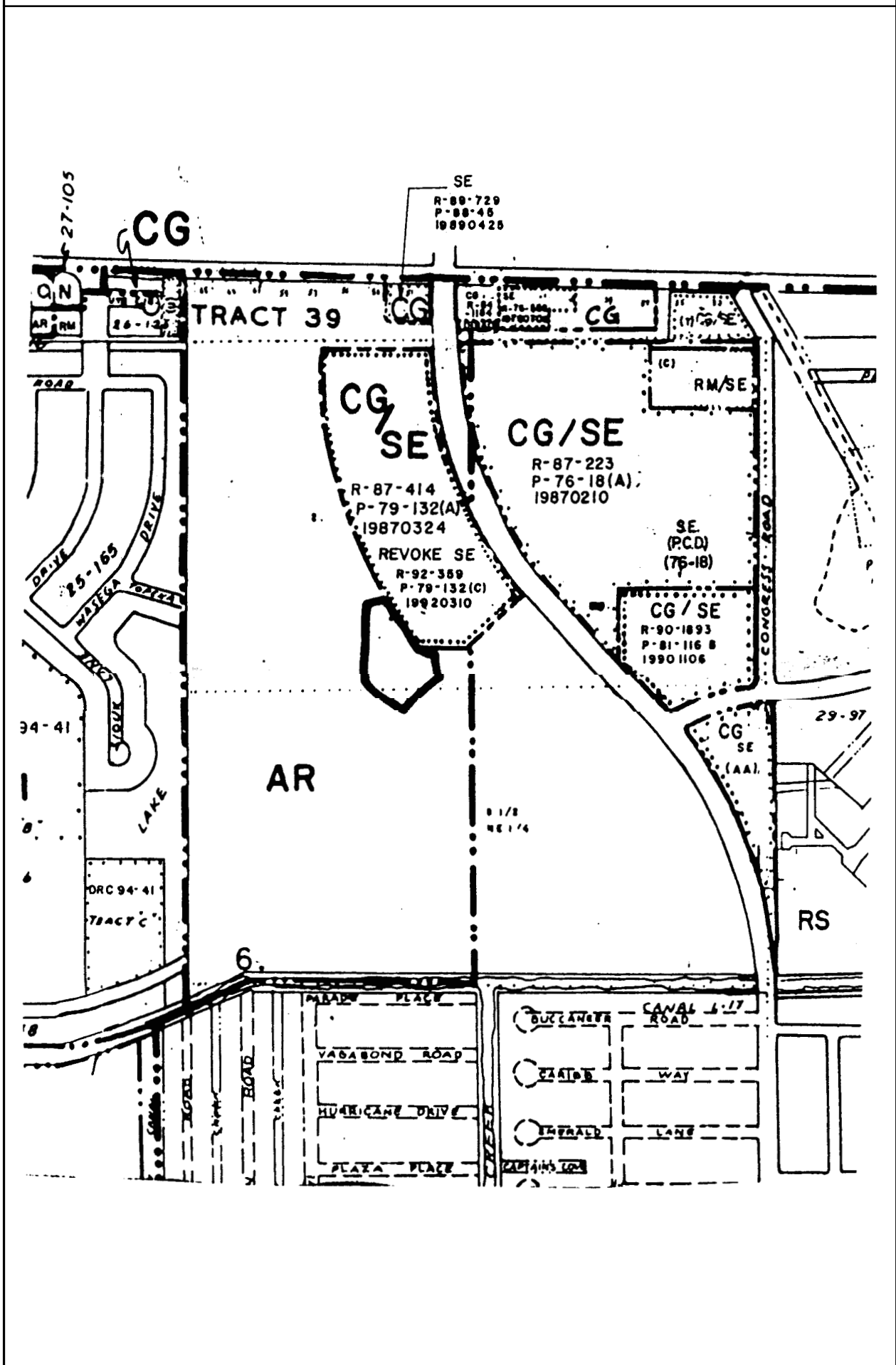
Thence North 49°-00'-00" East, a distance of 92.91 feet to the POINT OF BEGINNING.

SUBJECT TO easements, reservations, restrictions and rights of way of record.

Overall property containing: 30.287 Acres, more or less

EXHIBIT B

PALM BEACH COUNTY  
VICINITY SKETCH / ZONING



Petition Number: 83-124(A)

Zoning Quad Page \_\_\_\_\_

Date: Jan. 22, 1997



## EXHIBIT C

### CONDITIONS OF APPROVAL

NOTE: All previous conditions of approval are *shown* in **BOLD** and will be carried forward with this petition unless expressly modified.

#### A. ALL PETITIONS

1. All previous conditions of approval applicable to the subject property have been withdrawn.
2. Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved site plan is dated February 28, 1997. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING)

#### B. LANDSCAPING - STANDARD

1. All canopy trees required to be planted **on** site by this approval, except **on** individual residential lots, shall meet the following minimum standards at installation:
  - a. Tree height: fourteen (14) feet.
  - b. Trunk diameter: 3.5 inches measured 4.5 feet above grade.
  - c. Canopy diameter: seven (7) feet. Diameter shall be determined by the average canopy radius at 3 points measured from the trunk to the outermost branch tip. Each radius shall measure at least 3.5 feet in length.
  - d. Credit may **be** given for existing **or** relocated trees provided they meet current ULDC requirements. (CO: LANDSCAPE - Zoning)
3. Landscaping and buffering along the south, east and west perimeter of the **2.19** acre addition to the southwest area of the MHPD shall include a minimum twenty (20) foot wide of Type C Landscape Buffer strip. (CO: LANDSCAPE - Zoning)
4. Landscaping and buffering along the north, south and east perimeter of the proposed private/civic site shall include:
  - a. **A** five (5) foot wide landscape buffer strip;
  - b. **A** six (6) foot high vinyl-coated chain link fence all sides of the interior property line;
  - c. One (**1**) canopy tree planted every twenty five (25) feet on center;
  - d. Thirty (30) inch high shrub or hedge material, spaced no more than twenty four (24) on center at installation, to be maintained at a minimum height of thirty-six (36) inches;
  - e. Minimum required landscaping shall be installed on the exterior side **of** the chain link fence. (CO: LANDSCAPE)

#### C. USE LIMITATION

1. Storage or placement of any refuse, or debris shall not be permitted in the proposed private/civic site. (ONGOING: CODE ENF - Zoning)



E. ENGINEERING

No Engineering conditions.

F. PARKS

1. Prior to DRC approval the developer shall provide additional onsite recreational improvements equivalent to the value of the land area required for the proposed 11 units. The option to cash-out on this requirement requires the Park and Recreation Departments approval. (DRC: PARKS)

G. COMPLIANCE

1. 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; 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.

Appeals of any departmental administrative actions hereunder may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Unified Land Development Code (ULDC), as amended. Appeals of any revocation of an Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment or other actions based on a Board of County Commission decision shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit. (MONITORING)