

RESOLUTION NO. R-98- 123

RESOLUTION APPROVING ZONING PETITION DOA82-71(B)
DEVELOPMENT ORDER AMENDMENT
PETITION OF MANOR FOREST HOME OWNERS ASSOCIATION
BY ROBERT A. BENTZ, AGENT
(MANOR FOREST PUD)

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 DOA82-71(B) was presented to the Board of County Commissioners at a public hearing conducted on January 8, 1998; 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 DOA82-71(B), the petition of Manor Forest Home Owners Association, by Robert A. Bentz, agent, for a Development Order Amendment (DOA) to delete land (41.98 acres) and delete units (-178) 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 8, 1998, 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 Foster and, upon being put to a vote, the vote was as follows:

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

The Chair thereupon declared that the resolution was duly passed and adopted on January 29, 1998.

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

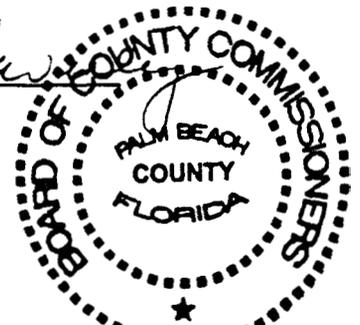


EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION OF MANOR FOREST REMAINING PROPERTY

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE GOLDEN EAGLE CORP., A DELAWARE CORPORATION LICENSED TO DO BUSINESS IN THE STATE OF FLORIDA, OWNER OF THE LAND SHOWN HEREON, BEING A PORTION OF TRACTS 1, 2, 3, 4 AND 12 OF THE SUBDIVISION 01: THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 9, PAGE 74 OF THE PUBLIC RECORD OF PALM BEACH COUNTY, FLORIDA, SHOWN HEREON AS PLAT NO. 1, MANOR FOREST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE EAST QUARTER SECTION CORNER OF SAID SECTION 12, BEAR NORTH 89°56'35" WEST, ALONG THE NORTH LINE OF THE AFORESAID SOUTHEAST QUARTER OF SECTION 12, A DISTANCE OF 40.02 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF LAWRENCE ROAD, AS NOW LAID OUT AND IN USE; THENCE SOUTH 02°02'59" WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 15.01 FEET TO A POINT ON THE NORTH LINE OF THE AFORESAID TRACT 1 AND THE POINT OF BEGINNING;

THENCE CONTINUE SOUTH 02°02'59" WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 126.92 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF SAID TRACT 1;

THENCE SOUTH 89°59'26" WEST, ALONG SAID SOUTH LINE OF THE NORTH HALF OF TRACT 1, A DISTANCE OF 662.96 FEET TO A POINT ON THE EAST LINE OF THE AFORESAID TRACT 2;

THENCE SOUTH 02°42'22" WEST, ALONG SAID EAST LINE OF TRACT 2, A DISTANCE OF 632.00 FEET;

THENCE NORTH 19°56'35" WEST, A DISTANCE OF 35.00 FEET TO A POINT ON A CURVE CONCAVE TO THE NORTHWEST; SAID CURVE HAVING A RADIUS OF 7.5 FEET, A CENTRAL ANGLE OF 109°56'55" AND A CHORD BEARING OF SOUTH 55°01'52" WEST;

THENCE SOUTHERLY AND WESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 143.92 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT; SAID CURVE HAVING A RADIUS OF 25 FEET, A CENTRAL ANGLE OF 104°12'34" AND A CHORD BEARING OF SOUTH 57°54'03" WEST;

THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 45.47 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT; SAID CURVE HAVING A RADIUS OF 95 FEET, A CENTRAL ANGLE OF 202°45'47" AND A CHORD BEARING OF NORTH 72°49'21" WEST;

THENCE SOUTHERLY, WESTERLY AND NORTHERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 336.19 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT; SAID CURVE HAVING A RADIUS OF 190 FEET, A CENTRAL ANGLE OF 120°45'10" AND A CHORD BEARING OF NORTH 31°49'02" WEST;

THENCE NORTHERLY AND WESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 400.43 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT; SAID CURVE HAVING A RADIUS OF 110 FEET, A CENTRAL ANGLE OF 73°10'25" AND A CHORD BEARING OF NORTH 55°36'25" WEST;

THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 140.48 FEET TO THE END OF SAID CURVE;

THENCE NORTH 89°56'35" WEST, A DISTANCE OF 12.36 FEET;

THENCE SOUTH 02°03'00" WEST, A DISTANCE OF 200.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT; SAID CURVE HAVING A RADIUS OF 675 FEET, A CENTRAL ANGLE OF 33°57'57" AND A CHORD BEARING OF SOUTH 19°01'59" WEST;

THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 400.15 FEET TO THE END OF SAID CURVE;

THENCE SOUTH 06°43'51" EAST, A DISTANCE OF 33.94 FEET;

THENCE SOUTH 49°28'40" EAST, A DISTANCE OF 32.16 FEET;

THENCE SOUTH 40°31'20" WEST, A DISTANCE OF 90.00 FEET;

THENCE NORTH 49°28'40" WEST, A DISTANCE OF 115.00 FEET;

THENCE NORTH 40°31'20" EAST, A DISTANCE OF 60.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT; SAID CURVE HAVING A RADIUS OF 615 FEET, A CENTRAL ANGLE OF 38°28'20" AND A CHORD BEARING OF NORTH 21°17'10" EAST;

THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 412.95 FEET TO THE POINT OF TANGENCY;

THENCE NORTH 02°03'00" EAST, A DISTANCE OF 304.04 FEET;

THENCE NORTH 89°56'35" WEST, A DISTANCE OF 339.91 FEET TO A POINT ON THE WEST LINE OF THE AFORESAID TRACT 4;

THENCE NORTH 03°41'02" EAST, ALONG SAID EAST LINE OF TRACT 4, A DISTANCE OF 536.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT 4;

THENCE SOUTH 89°56'35" EAST, ALONG THE NORTH LINE OF THE AFORESAID TRACTS 4, 3, 2 and 1, A DISTANCE OF 1707.96 FEET TO THE POINT OF BEGINNING.

EXHIBIT A

LEGAL DESCRIPTION OF MANOR FOREST REMAINING PROPERTY

BEGIN AT THE SOUTHWEST CORNER OF TRACT 3, PLAT NO. 1, MANOR FOREST, AS RECORDED IN PLAT BOOK 46, PAGES 1 AND 2, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA;

THENCE, SOUTH 89°-56'-35" EAST, ALONG THE BOUNDARY OF SAID PLAT NO. 1, MANOR FOREST, A DISTANCE OF 339.91 FEET;

THENCE, SOUTH 02°-03'-00" WEST, ALONG SAID PLAT BOUNDARY, A DISTANCE OF 304.04 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 615.00 FEET, A CENTRAL ANGLE OF 38°-28'-20" AND A CHORD BEARING OF SOUTH 21°-17'-10" WEST;

THENCE, SOUTHERLY, ALONG THE ARC OF SAID CURVE AND SAID PLAT BOUNDARY, A DISTANCE OF 412.95 FEET TO THE POINT OF TANGENCY;

THENCE, SOUTH 40°-31'-20" WEST, ALONG SAID PLAT BOUNDARY, A DISTANCE OF 60.00 FEET;

THENCE, SOUTH 49°-28'-40" EAST, ALONG SAID PLAT BOUNDARY, A DISTANCE OF 115.00 FEET;

THENCE, NORTH 40°-31'-20" EAST, ALONG SAID PLAT BOUNDARY, A DISTANCE OF 90.00 FEET;

THENCE, NORTH 49°-28'-40" WEST, ALONG SAID PLAT BOUNDARY, A DISTANCE OF 32.16 FEET;

THENCE, NORTH 06°-43'-51" WEST, ALONG SAID PLAT BOUNDARY, A DISTANCE OF 33.94 FEET TO A POINT ON A CURVE CONCAVE TO THE WEST; SAID CURVE HAVING A RADIUS OF 675.00 FEET, A CENTRAL ANGLE OF 33°-57'-57" AND A CHORD BEARING OF NORTH 19°-01'-59" EAST;

THENCE, NORTHERLY, ALONG THE ARC OF SAID CURVE AND SAID PLAT BOUNDARY, A DISTANCE OF 400.15 FEET TO THE POINT OF TANGENCY;

THENCE, NORTH 02°-03'-00" EAST, ALONG SAID PLAT BOUNDARY, A DISTANCE OF 200.00 FEET;

THENCE, SOUTH 89°-56'-35" EAST, ALONG SAID PLAT BOUNDARY, A DISTANCE OF 12.36 FEET TO A POINT ON A CURVE CONCAVE TO THE NORTHEAST; SAID CURVE HAVING A RADIUS OF 110.00 FEET, A CENTRAL ANGLE OF 73°-10'-25" AND A CHORD BEARING OF SOUTH 55°-36'-25" EAST;

THENCE, SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE AND SAID PLAT BOUNDARY, A DISTANCE OF 140.48 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT; SAID CURVE HAVING A RADIUS OF 190.00 FEET, A CENTRAL ANGLE OF 120°-45'-10" AND A CHORD BEARING OF SOUTH 31°-49'-02" EAST;

THENCE, EASTERLY AND SOUTHERLY, ALONG THE ARC OF SAID CURVE, AND SAID PLAT BOUNDARY; A DISTANCE OF 400.43 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 95.00 FEET, A CENTRAL ANGLE OF 202°-45'-47" AND A CHORD BEARING OF SOUTH 72°-49'-21" EAST;

THENCE, SOUTHERLY; EASTERLY AND NORTHERLY, ALONG THE ARC OF SAID CURVE AND SAID PLAT BOUNDARY, A DISTANCE OF 336.19 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT; SAID CURVE HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 104°-12'-34" AND A CHORD BEARING OF NORTH 57°-54'-03" EAST;

THENCE, NORTHEASTERLY, ALONG THE ARC OF SAID CURVE AND SAID PLAT BOUNDARY, A DISTANCE OF 45.47 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT; SAID CURVE HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 109°-56'-55" AND A CHORD BEARING OF NORTH 55°-01'-52" EAST;

THENCE, EASTERLY AND NORTHERLY, ALONG THE ARC OF SAID CURVE AND SAID PLAT BOUNDARY, A DISTANCE OF 143.92 FEET TO THE END OF SAID CURVE;

THENCE, SOUTH 89°-56'-35" EAST, ALONG SAID PLAT BOUNDARY, A DISTANCE OF 35.00 FEET TO A POINT ON THE EAST LINE OF TRACT 2 OF THE SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 9, PAGE 74, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA;

THENCE, SOUTH 02°-42'-22" WEST, ALONG SAID EAST LINE OF TRACT 2 AND ITS SOUTHERLY PROLONGATION, A DISTANCE OF 585.00 FEET;

THENCE, NORTH 87°-47'-38" WEST, A DISTANCE OF 260.00 FEET TO A POINT ON A CURVE CONCAVE TO THE WEST, SAID CURVE HAVING A RADIUS OF 210.00 FEET, A CENTRAL ANGLE OF 15°-41'-40" AND A CHORD BEARING OF SOUTH 20°-42'-05" WEST;

THENCE, SOUTHERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 57.52 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT; SAID CURVE HAVING A RADIUS OF 180.00 FEET, A CENTRAL ANGLE OF 80°-29'-50" AND A CHORD BEARING OF SOUTH 11°-42'-00" EAST;

THENCE, SOUTHERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 252.89 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT; SAID CURVE HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 77°-11'-40" AND A CHORD BEARING OF SOUTH 13°-21'-05" EAST;

THENCE, SOUTHERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 101.05 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT; SAID CURVE HAVING A RADIUS OF 225.00 FEET, A CENTRAL ANGLE OF 37°-47'-50", AND A CHORD BEARING OF SOUTH 06°-20'-50" WEST;

THENCE, SOUTHERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 148.43 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT; SAID CURVE HAVING A RADIUS OF 60.00 FEET, A CENTRAL ANGLE OF 59°-15'-27" AND A CHORD BEARING OF SOUTH 17°-04'-39" WEST;

EXHIBIT A

LEGAL DESCRIPTION OF MANOR FOREST REMAINING PROPERTY

THENCE, SOUTHERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 62.05 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT; SAID CURVE HAVING A RADIUS OF 120.00 FEET, A CENTRAL ANGLE OF 44°-00'-00" AND A CHORD BEARING OF SOUTH 24°-42'-22" WEST;

THENCE, SOUTHERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 92.15 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT; SAID CURVE HAVING A RADIUS OF 90.00 FEET, A CENTRAL ANGLE OF 234°-06'-41" AND A CHORD BEARING OF NORTH 60°-14'-17" WEST;

THENCE, SOUTHWESTERLY, NORTHWESTERLY AND NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 367.74 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT; SAID CURVE HAVING A RADIUS OF 165.00 FEET, A CENTRAL ANGLE OF 120°-45'-00" AND A CHORD BEARING OF NORTH 03°-33'-27" WEST;

THENCE, NORTHEASTERLY AND NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 347.74 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE LEFT; SAID CURVE HAVING A RADIUS OF 210.00 FEET, A CENTRAL ANGLE OF 80°-15'-22" AND A CHORD BEARING OF SOUTH 75°-56'-22" WEST;

THENCE, WESTERLY AND SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 294.15 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT; SAID CURVE HAVING A RADIUS OF 90.00 FEET, A CENTRAL ANGLE OF 108°-17'-39" AND A CHORD BEARING OF SOUTH 89°-57'-31" WEST;

THENCE, SOUTHWESTERLY AND NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 170.11 FEET TO THE END OF SAID CURVE;

THENCE, SOUTH 54°-06'-20" WEST, ALONG A LINE RADIAL TO THE PREVIOUSLY DESCRIBED CURVE, A DISTANCE OF 75.00 FEET TO A POINT ON A CURVE CONCAVE TO THE NORTHEAST; SAID CURVE HAVING A RADIUS OF 1275.00 FEET, A CENTRAL ANGLE OF 06°-13'-00" AND A CHORD BEARING OF NORTH 32°-47'-10" WEST;

THENCE, NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 138.34 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT; SAID CURVE HAVING A RADIUS OF 710.00 FEET, A CENTRAL ANGLE OF 70°-12'-00" AND A CHORD BEARING OF NORTH 05°-25'-20" EAST;

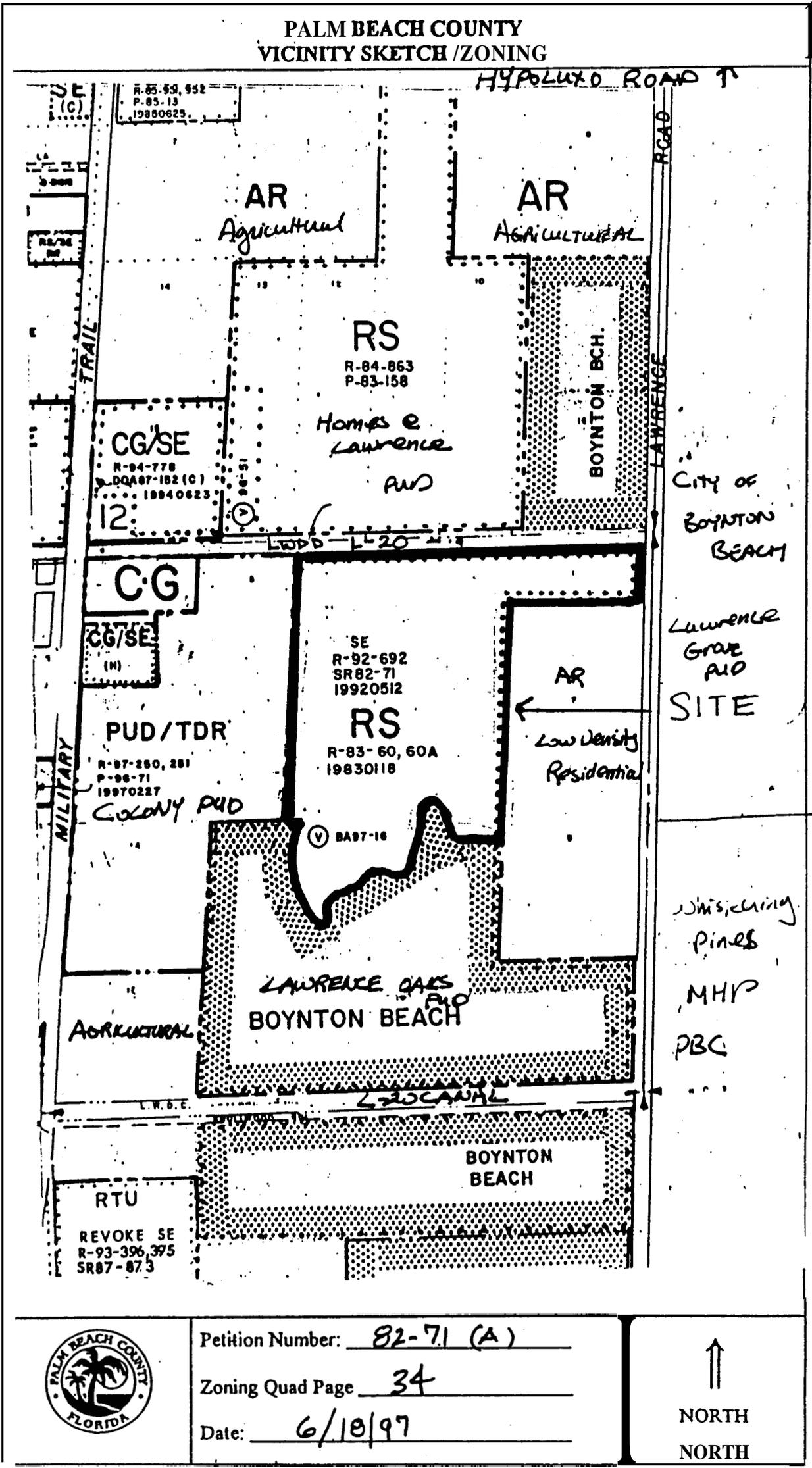
THENCE, NORTHWESTERLY AND NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 450.23 FEET TO THE END OF SAID CURVE;

THENCE, NORTH 82°-24'-49" WEST, A DISTANCE OF 123.71 FEET TO THE SOUTHWEST CORNER OF TRACT 1 OF THE AFORESAID SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST;

THENCE, NORTH 03°-41'-02" EAST, ALONG THE WEST LINE OF SAID TRACT 4, A DISTANCE OF 796.32 FEET TO THE POINT OF BEGINNING.

EXHIBIT B

PALM BEACH COUNTY
VICINITY SKETCH /ZONING



Petition Number: 82-71 (A)
 Zoning Quad Page 34
 Date: 6/10/97

↑
 NORTH
 NORTH

EXHIBIT C

CONDITIONS OF APPROVAL

A. ALL PETITIONS

1. All previous conditions of approval applicable to the subject property, as contained in Resolutions R-83-60A (Petition 82-71), R-83-70A (Petition 82-71) and (Petition 82-71A (Withdrawn)), have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval and deadlines previously established by Section 5.8 of the ULDC and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING-Zoning)
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 July 25, 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. BUILDING AND SITE DESIGN

1. The gross density of Parcel **A** shall not exceed **1.0** dwelling units per acre. (Prev. Cond. No. 8 of Resolution R-83-70-A, Petition No. 82-71.)
2. The gross density of Parcel **B** shall not exceed **3.3** dwelling units per acre. (Prev. Cond. No. 9 of Resolution R-83-70-A, Petition No. 82-71.)
3. **No** structure in Parcels **A** and **B** as designated on the **Master Plan, Exhibit #3**. (Prev. Cond. No. 10 of Reso. R-83-70-A, Pet. No. 82-71.)
4. **No** structure shall be constructed within **50** feet of the project's entire eastern property line, including parcels **A** and **B** as designated on the Master Plan, Exhibit **#3**, with existing vegetation to remain within the first **25** feet. (Previously Condition No. 11 of Resolution R-83-70-A, Petition No. 82-71.)
5. **No** residential **structures** shall be constructed in the project's **northeast** corner within **660** feet of Lawrence Road. (Previously Condition No. 12 of Resolution R-83-70-A, Petition No. 82-71.)
6. **North** pool area shall be restricted to daylight hours and adults **only** (to be incorporated into Homeowners Restrictions). (Previously Condition No. 15 of Resolution R-83-70-A, Petition No. 82-71.)

C. CONCURRENCY & MASTER PLAN MODIFICATION

1. Prior to final master plan approval by the Development Review Committee (DRC) the petitioner shall revise their concurrency and master plan indicating a total of 149 units to match the number of units **as** shown on the previously approved master plan dated **October 20, 1993**. (DRC: ZONING)
2. Prior to final master plan approval by the Development Review Committee (DRC) the petitioner shall revise the master plan to indicate Parcel **A** and Parcel **B** as referenced in previous conditions. (DRC: ZONING)

3. Prior to final master plan approval by the Development Review Committee (DRC) the petitioner shall indicate units and acreage for Tract 5. (DRC: ZONING)

D. LANDSCAPING-VEGETATION

1. Significant on-site vegetation shall be preserved. (Previously Condition No. 1 of Resolution R-83-70-A, Petition No. 82-71.)
2. A continuous foot opaque screen consisting of native landscaping and a 6 foot security fence and wall shall be constructed in accordance with the notations on the project's Master Plan, Exhibit #3, along the entire contiguity with abutting private properties along the eastern property boundary. (Previously Condition No. 13 of Resolution R-83-70-A, Petition No. 82-71.)
3. Based upon additional aerial study of the subject areas, it is further recommended that staff work with the petitioner and developer at such time that site development commences to insure identification and preservation of significant native vegetation. (Previously Condition No. 14 of Resolution R-83-70-A, Petition No. 82-71.)

E. ENGINEERING

1. Additional units constructed within Tract A (Phase III) shall be condominium or the Tract shall be replatted in accordance with the provisions of the ULDC. (DRC: ENG)
2. Petitioner shall construct at the time the north entrance a. Left turn lane, south approach. (Previously Condition No. 2 of Resolution R-83-70-A, Petition No. 82-71.)
3. Petitioner shall construct at the time the south entrance road to Lawrence Road is constructed: 1. Left turn lane, south approach. (Previously Condition No. 3 of Resolution R-83-70-A, Petition No. 82-71.)
4. Petitioner shall contribute Seventy Thousand Seven Hundred and Twenty Five Dollars (**70,725.00**) toward the cost of meeting this project's direct and identifiable traffic impact to be paid on a pro-rata basis at the time of the filing of each plat. (Previously Condition No. 4 of Resolution R-83-70-A, Petition No. 82-71.)
5. Petitioner shall retain onsite the first one inch of the stormwater run-off per Palm Beach County Subdivision and Platting Ordinance 73.4, as amended. (Previously Condition No. 16 of Resolution R-83-70-A, Petition No. 82-71.)
6. Prior to January 6, 1999 the Manor Forest Homeowners Association shall complete the construction of the necessary improvements required to terminate Manor Forest Boulevard as shown on the proposed Master Plan. Improvements shall consist of but not be limited to "T" turnarounds, any required drainage improvements, and signage. (DATE: MONITORING - Eng)

F. HEALTH

1. **The developer shall take reasonable precautions during the development of this project to insure that fugitive particulate!; (dust particles) from this project do not become a nuisance to neighboring properties.** (Previously Condition No. 5 of Resolution R-83-70-A, Petition No. 82-71.)
2. **The developer shall take necessary precautions to insure there will be no pollutant run-off from this project to adjacent or nearby surface waters.** (Previously Condition No. 6 of Resolution R-83-70-A, Petition No. 82-71.)

G. LWDD

1. **Developer shall dedicate to Lake Worth Drainage District, through Quit Claim Deed or an Easement, the North 45.00 feet of Tracts 1-4 inclusive, for the right-of-way for Lateral Canal No. 19 and the South 35.00 feet of Tracts 10-13 inclusive and Tract 16 for the right-of-way for Lateral Canal No. 20 all according to the subdivision of the Southeast 1/4 of Section 12, Township 45 South, Range 42 East, as recorded in Plat Book 9, page 74.** (Previously Condition No. 7 of Resolution R-83-70-A, Petition No. 82-71.)

H. 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)