

RESOLUTION NO. R-73- 305

RESOLUTION APPROVING ZONING PETITION

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, and Chapter 70-863, Laws of Florida, Special Acts of 1970, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements as provided for in Chapter 402.5 of the Palm Beach County Zoning Code Ordinance No, 73-2 have been satisfied; and

WHEREAS, Petition No. 73-36 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24 May 1973.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 24th day of May, 1973, that petition No. 73-36, the petition of E.J. FRANKEL ENTERPRISES, INC., by Conrad W. Schaefer, Agent, for the REZONING, FROM AG-AGRICULTURAL DISTRICT TO RS-RESIDENTIAL SINGLE FAMILY DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on Tracts 34 to 44, inclusive; Tracts 46 to 57, inclusive; Tracts 61 to 80, inclusive; Tracts 82 to 87, inclusive; Tracts 92 to 100, inclusive; the East 1/2 of Tract 103; Tracts 104 to 109, inclusive of Block 79 and Tracts 32 to 35, inclusive; Tracts 49 to 65, inclusive, Tracts 77 to 87, inclusive; Tracts 89 to 92, inclusive of Block 78 of Palm Beach Farms Company Plat No. 3, as recorded in Plat Book 2, pages 45 to 54; less the North 1/5 of Tract 61 and less that portion of Tracts 61 and 87, Block 79 for Sunshine State Parkway right-of-way purposes; and also, less portions of Tracts 108 and 109, Block 79, more fully described as follows:

commencing at the Northeast corner of Section 29, Township 47 South, Range 42 East; thence Westerly along the North line of said Section 29, a distance of 2091.42 feet to a point on the East ~~line~~ of said Tract 109, said point being the Point of Beginning; thence Southerly along the said East line of Tract 109, which forms an angle, measured from East to South, of  $90^{\circ} 46' 57''$ , with last described course, a distance of 219.43 feet to the North line of a 50 foot road right-of-way and the Southeast corner of said Tract 109; thence Westerly along said North right-of-way line, being at right angles with the last described course, a distance of 330.0 feet to the Southwest corner of said Tract 109; thence continue Westerly along a prolongation of the last described course, being the South line of Tract 108, a distance of 40.0 feet; thence Northerly at right angles to last described course, a distance of 214.38 feet to a point on aforesaid North line of Section 29; thence continue Northerly along a prolongation of last described course, a distance of 165.62 feet; thence Northeasterly along a line which forms an included angle of  $110^{\circ} 43' 32''$  with the last described course, a distance of 40.71 feet to a point on the East line of said Tract 108, also being the West line of said Tract 109; thence continue Northeasterly along a prolongation of the last described course, a distance of 354.89 feet to a point on aforesaid East line of Tract 109; thence Southerly along said line, which forms an included angle of  $69^{\circ} 16' 28''$  with last described course, a distance of 300.57 feet to the Point of Beginning; said lands situate lying and being in Sections 19, 20 and 29, Township 47 South, Range 42 East, and subject to any and all rights-of-way as claimed by the Lake Worth Drainage District, Said property located on the west side of Florida's Turnpike (Sunshine State Parkway) and the south side of 212th Place South, was approved as advertised subject to the following special conditions:

- 1) Dedicate to the County Right-of-Way Department the additional right-of-way needed to provide for a two-hundred (200) foot right-of-way for Palmetto Park Road;

- 2) Road grades will be determined in accordance with Engineering Department standards;
- 3) Build and dedicate required road **laneage** in accordance with the Palm Beach County Subdivision Regulations;
- 4) Cypress areas to be rezoned to PC-Preservation/Conservation District or official approved alternative;
- 5) Construction traffic to be restricted from using **Pondwood** Road;
- 6) Site plan shall be revised to show the golf course abutting Camp Perry, and the removal of the golf course from the north-west pine/cypress head;
- 7) Pay for the condemnation necessary to acquire additional **right-of-way** for **Wingate** Road;
- 8) Construct the additional right-of-way needed to provide for four lanes on said road;
- 9) The four lanes shall transverse the subject property and the parcel belonging to Real Properties, Inc., (as described in Petition #73-53) and shall terminate at **Boca Raton** Road West (S.R. 808);
- 10) Construction of additional right-of-way to be in conjunction with Real Properties, Inc. In the event that Real Properties does not participate in the road construction, it is understood that Frankel Enterprises will complete the road widening project.

The foregoing resolution was offered by Commissioner Weaver who moved its adoption. The motion was seconded by Commissioner Culpepper, and upon being put to a vote, the vote was as follows:

Lake Lytal	- aye
E. W. Weaver	- aye
Robert C. Johnson	- aye
George V. Warren	- absent
Robert F. Culpepper	- aye

The Chairman thereupon declared the resolution duly passed and adopted this **5th** day of June , 1973.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: Marjorie B. Jennings  
Deputy Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY  
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COUNTY ATTORNEY