

RESOLUTION NO. R-74-73

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. 73-248 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 4 January 1974.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 4th day of January, 1974, that petition No. 73-248, the petition of KARL A. KANDELL for the REZONING, FROM RH-RESIDENTIAL MULTIPLE FAMILY DISTRICT (HIGH DENSITY) TO RS-RESIDENTIAL SINGLE FAMILY DISTRICT of all that part of West 648.45 feet of the Northwest 1/4 of the Northeast 1/4 of Section 3, Township 41 South, Range 42 East, lying North of Limestone Creek (Canal C-18) right-of-way; together with tracts 5, 6, 7, 8, 19, 22, and 23 of Loxahatchee Garden Farms, in Section 3, Township 41 South, Range 42 East, and Section 34, Township 40 South, Range 42 East, as recorded in Plat Book 2, page 68, AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on a parcel of land lying and being in Sections 26, 27, 34 and 35, Township 40 South, Range 42 East, and also in Section 3, Township 41 South, Range 42 East, more particularly described as follows: beginning at the Northwest corner of Section 34, Township

40 South, Range 42 East, thence North 89° 54' 22" East along the North line of said Section 34 a distance of 1323.51 feet to the Southwest corner of the East 1/2 of the Southwest 1/4 of said Section 27; thence North 0° 15' 49" West a distance of 2647.60 feet to the Northwest corner of the East 1/4 of said Southwest 1/4; thence North 89° 49' 53" East along the North line of South 1/2 of said Section 27 a distance of 3509.07 feet to a point lying on the centerline of Loxahatchee River Road, as now laid out and in use; thence South 34° 05' 04" East along the said centerline a distance of 1145.11 feet to a point; thence South 75° 56' 09" West a distance of 199.00 feet to a point lying on the East line of said Section 27; thence South 0° 51' 51" East a distance of 1654.82 feet to the Southeast corner of said Section 27; thence North 88° 13' 32" East along the North line of said Section 35 a distance of 1293.93 feet to the Northeast corner of the Northwest 1/4 of the Northwest 1/4 of said Section 35; thence South 0° 34' 46" East along the East line of the Northwest 1/4 of the Northwest 1/4 of said Section 35 a distance of 300 feet to the Northwest corner of Block 5, Government Lot 3, according to the Plat of Survey as recorded in Plat Book 7, page 18; thence Easterly along the North line of said Block 5 a distance of 222 feet, more or less, to the Westerly shore of the Loxahatchee River; thence Southeasterly along the Westerly shore of the Loxahatchee River a distance of 207 feet more or less to a point lying on a line parallel to and 205 feet South of, as measured at right angles; to the North line of said Block 5; thence Westerly along said parallel line a distance of 250 feet, more or less, to a point lying on the West line of said Block 5, said West line also being the East line of the Northwest 1/4 of the Northwest 1/4 of said Section 35; thence South 0° 34' 46" East a distance of 830.97 feet to the Southeast corner of the Northwest 1/4 of the Northwest 1/4 of said Section 35, thence South 89° 00' 21" West a distance of 1300.76

feet to the Southwest corner of the Northwest 1/4 of the Northwest 1/4 of said Section 35; thence South 89° 51' 11" West along the South line of the North 1/2 of the Northeast 1/4 of said Section 34 a distance of 2646.98 feet to a point lying on the West line of the Northeast 1/4 of said Section 34; thence South 0° 16' 21" East a distance of 1320.87 feet to the Southwest corner of the Northeast 1/4 of said Section 34, said Southwest corner lying on the centerline of Roebuck Road (60 foot right-of-way); thence North 89° 48' 00" East a distance of 3.40 feet to the Northwest corner of Tract 4, according to the Plat of Loxahatchee Garden Farms as recorded in Plat Book 2, page 68; thence South 0° 44' 15" East along the West line of Tracts 4, 9, and 18, according to the said Plat of Loxahatchee Garden Farms, a distance of 1983.62 feet to the Northwest corner of Tract 23 according to the said Plat of Loxahatchee Garden Farms; thence North 89° 39' 41" East a distance of 652.22 feet to the Northeast corner of said Lot 23; thence South 0° 44' 21" East along the East line of said Lot 23 a distance of 681.64 feet to a point lying on the North line of the Northeast 1/4 of said Section 3; thence South 1° 36' 46" West, parallel to the West line of the Northeast 1/4 of said Section 3; a distance of 519.52 feet to a point lying on the Northerly right-of-way line of Canal C-18; thence South 61° 15' 13" West along the Northerly right-of-way line of Canal C-18 a distance of 751.50 feet to a point lying on the West line of the Northeast 1/4 of said Section 3; thence North 1° 36' 46" East a distance of 872.69 feet to the Northwest corner of the Northeast 1/4 of said Section 3; thence North 89° 31' 43" West along the North line of said Section 3 a distance of 680.66 feet to a point; thence North 0° 40' 04" West along the West line of Tracts 22 and 19, according to the said Plat of Loxahatchee Garden Farms a distance of 1339.11 feet to a point lying on the centerline of a 20 foot road; thence South 89° 39' 41" West along the centerline

of said 20 foot road a distance of 655.60 feet to a point; thence North $0^{\circ} 34' 57''$ West along the West line of Tracts 7 and 6 according to the said Plat of Loxahatchee Garden Farms a distance of 1324.41 feet to the Northwest corner of said Tract 6; thence South $89^{\circ} 48' 00''$ West along the South line of the Northwest $1/4$ of said Section 34 and the centerline of Roebuck Road (60 foot right-of-way) a distance of 1323.86 feet to the Southwest corner of the Northwest $1/4$ of said Section 34; thence North $0^{\circ} 14' 34''$ West a distance of 2646.66 feet to the Point of Beginning; less the Easterly 247.5 feet of the Westerly 595 feet of the Southerly 165 feet of the East $1/2$ of the Southwest $1/4$ of said Section 27; also less the Northwest one (1) acre of said Section 34, described as follows: the Westerly 208.71 feet of the Northerly 208.71 feet of the North $1/2$ of the Northeast $1/4$ of said Section 34; also less the West 495 feet of the North 660 feet of the Southeast $1/4$ of the Southwest $1/4$ of Section 27, Township 40 South, Range 42 East; also Less right-of-way for Loxahatchatchee River Road across the Northeasterly 40 feet of the above parcel having a bearing of South $34^{\circ} 05' 4''$ East and a distance of 1145.11 feet lying in said Sections 26 and 27 and also across the East 40 feet of the Northwest $1/4$ of the Northwest $1/4$ of said Section 35, and also across the West 40 feet of the North 205 feet of Block 5, Government Lot 3, according to the said Plat of Survey; also less right-of-way for Roebuck Road across the South 30 feet of the Northwest $1/4$ of said Section 34, and also across the North 30 feet of the West 3.40 feet to the Southeast $1/4$ of said Section 34 and also across the Northeast $1/4$ of the Southwest $1/4$ of said Section 34; also less right-of-way for roads in the said Plat of Loxahatchee Garden Farms described as follows: all that portion of a 20 foot right-of-way lying West of and adjacent to Tracts 4, 9, 18, and 23; together with a 20 foot right-of-way lying South of and adjacent to Tract 8; together with the North 10 feet of a 20 foot

right-of-way lying South of and adjacent to Tract 7; together with a 15 foot right-of-way South of and adjacent to Tracts 22 and 23; together with the North 15 feet of the Westerly 649.00 feet of the Northeast 1/4 of said Section 3. Said property located approximately 1/2 mile south of the Martin County Line on the west side of Loxahatchee River Road, was approved as advertised subject to the following special conditions:

- 1) Preservation of the quality of the Loxahatchee River through the creation of a four (4) hour drainage retention system to prevent the degradation of the quality of the aquatic preserve;
- 2) Water supply plan to be approved by the Central and Southeast Florida Flood Control District, Palm Beach County Division of Health and all other necessary governmental agencies having appropriate jurisdiction prior to any residential plat approval;
- 3) Dedication of a twenty (20) acre offsite school site acceptable to the Palm Beach County School Board within a one (1) mile radius of the project with a reverter to the County for a park eighteen (18) months after the date of acceptance of the Jupiter Trails project as a Development of Regional Impact - Planned Unit Development;
- 4) Preservation of the main maple/bay slough area and the preservation of the northern boundary slough, if applicable. A fifty (50) foot area outside the dripline on both the north and south sides, will be the area of preservation;

- 5) A density cap of 2.55 units per acre (subject to revision based upon deletion of a parcel of institutional lands and converting to a residential use);
- 6) Buffer the 3.8 acre commercial tract with a 5.2 acre permanent park to the east;
- 7) Relocate temporary sewer plant, if necessary;
- 8) Dedication of water and sewer facilities to the Loxahatchee River Environmental Control District;
- 9) Roebuck Road will not connect to the project;
- 10) Central Boulevard will be constructed for two (2) lanes through the project, south, to Indiantown Road at the developer's total expense;
- 11) Signalization and/or other essential traffic control systems at the conclusion of Central Boulevard at Indiantown Road be constructed at the developer's total expense;
- 12) Left and right turn lanes on Center Street at Loxahatchee River Road and left and right turn lanes on Loxahatchee River Road at the same intersection;
- 13) Realign intersection of Loxahatchee River Road at Center Street;
- 14) Turn lanes on Loxahatchee River Road at development entrances be constructed at the developer's expense.

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

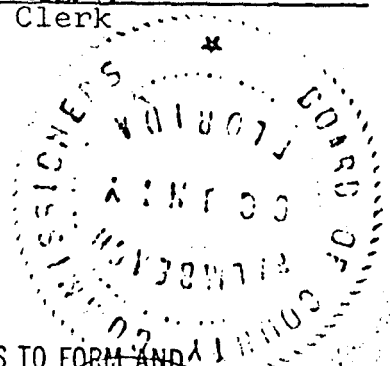
Lake Lytal	- aye
E. W. Weaver	- aye
Robert C. Johnson	- aye
George V. Warren	- aye
Robert F. Culpepper	- aye

The Chairman thereupon declared the resolution duly passed and adopted this 29th day of January, 1974, confirming action of January 4, 1974.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: James B. Shuler
Deputy Clerk



APPROVED AS TO FORM AND
LEGAL SUFFICIENCY
Michael B. Small

Michael B. Small
County Attorney