

RESOLUTION NO. R-83-383

RESOLUTION APPROVING ZONING PETITION 74-104 (A) Special Exception
to modify the Master Plan for Petition No.
74-104

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, 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. 74-104(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 27th January 1983, and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various county review agencies and the recommendations of the Planning Commission; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The proposal will have no significant affect upon the Master Planning assumptions of of Via Verde Planned Unit Development.
2. The proposed transposition of the commercial and civic sites results in a more logical configuration of these sites than presently exists.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assemble in regular session this 27th day of January, 1983 that Petition No. 74-104(A) the petition of

ARVIDA CORPORATION by Russell C. Derick, Agent, for a SPECIAL EXCEPTION TO MODIFY THE MASTER PLAN FOR VIA VERDE PLANNED UNIT DEVELOPMENT PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 74-104 on a parcel of land lying in Section 23, Township 47 South, Range 42 East, being more particularly described as follows:
Commencing at the Northwest corner of said Section 23; thence South $00^{\circ}28'57''$ East along the West line of said Section 23, a distance of 1405.54 feet to a point on the centerline of St. Andrews Boulevard, as recorded in Plat Book 35, Pages 190,191 and 192, said point also being on the South line of L.W.D.D. L-46 Agreement, as recorded in O.R. Book 2184, Page 573, thence North $89^{\circ}15'10''$ East, along said South Line, a distance of 60.00 feet to a point on the East right-of-way of said St. Andrews Boulevard and the Point of Beginning of this description; thence continuing North $89^{\circ}15'10''$ East along said South line of the L.W.D.D. L-46 Agreement, a distance of 275.00 feet to the point on the centerline of the L.W.D.D. L-47 Easement, as recorded in O.R. Book 3301, Page 485; thence South $0^{\circ}44'50''$ East along said centerline, a distance of 121.31 feet to the Point of Curvature of a Circular Curve to the a radius of 603.04 feet; thence along the arc of said curve, an arc distance of 404.16 feet to the

Point of Tangency; thence South 39°08'50" East, a distance of 222.89 feet to a point on the arc of a Circular Curve to the right, whose radius bears South 13°16'15" East from the last described point, said point being on the North right-of-way line of Verde Trail South, as recorded in Plat Book 39, Page 130, the last three described courses being coincident with the centerline of said L.W.D.D. L-47 Easement; thence Westerly along the arc of said curve, having a radius of 785.13 feet, an arc distance of 14.93 feet to the Point of Tangency; thence South 75°38'22" West, continuing along said North right-of-way line of Verde Trail South, a distance of 464.18 feet; thence North 58°34'54" West, a distance of 35.83 feet to a point on a subtending a central angle of 8°12'12" a distance of 280.64 feet more or less, to a line parallel with and 33 feet Easterly from, measured at right angles to, the West line the said West 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 13; said parallel line being the Easterly right-of-way line of that certain 666 foot wide right-of-way referred to as Old Military Trail and S.R. No. 200 and more particularly described in Deed Book 533, Page 153. Thence North 0°27'11" West along said Easterly right-of-way line, a distance of 196.16 feet to the beginning of a curve concave Easterly, having a radius of 1008.74 feet; thence Northerly along the arc of said curve and said Easterly right-of-way line, subtending a central angle of 4°41'58", a distance of 82.74 feet more or less, to a point in the South line of that certain parcel described in Official Record Book 2276, Page 651; thence South 80°24'39" East along said South line, a distance of 99.39 feet more or less to the Point of Beginning. Said property located on the north side of the intersection of Military Trail (S.R. 809) and Old Military Trail, approximately 1.5 miles East of Jog' Road in an AR-Agricultural District, was approved as advertised, subject to the following conditions:

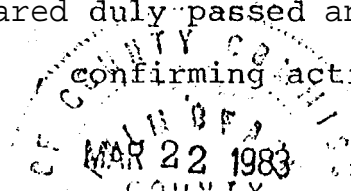
1. Conditions of the original approval of Petition No. 74-104 shall remain in effect.
2. County Engineer's approval of the access points to the two parcels shall be obtained prior to the Master Plan certification.
3. Reasonable precaution shall be exercised during site development to insure that dust particles from this property do not become a nuisance to neighboring properties.
4. Reasonable measures shall be employed during site development to insure that no pollutants from this property will enter adjacent or nearby surface waters.
5. Petitioner shall retain onsite 85% of the stormwater runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.

Commissioner Wilken, moved for approval of the petition.

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

Peggy E. Evatt, Chairman	- Aye
Ken Spillias, Vice Chairman	- Aye
Dennis P. Koehler, Member	- Aye
Dorothy Wilken, Member	- Aye
Bill Bailey, Member	- Aye

The foregoing resolution was declared duly passed and adopted this 22nd day of March, 1983, confirming action of 27th January 1983



PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, Clerk
By: Janet M. Harris
Deputy Clerk

APPROVE AS TO FORM.
AND LEGAL SUFFICIENCY

John C. [Signature]
County Attorney