

RESOLUTION NO. R-83-1037

RESOLUTION APPROVING ZONING PETITION 83-9, Special Exception

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. 83-9 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24th March 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 is consistent with the Comprehensive Plan and Mandatory Performance Standards.
2. The proposed expansion can be accommodated to the site while meeting all property development regulations.
3. The proposed expansion will not have any significant impacts upon surrounding properties.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 24th day of March, 1983, that Petition No. 83-9 the petition of MORRIS P. AND JANE S. FROST By David Carpenter, Agent, for a SPECIAL EXCEPTION TO ALLOW THE EXPANSION OF EXISTING COMMERCIAL HORSE STABLES on a parcel of land lying and being in the Northeast 1/4 of Section 23, Township 42 South, Range 42 East, more particularly described as follows: From the Northeast Section Corner of said Section 23, Township 42 South, Range 42 East; thence South 00°09'46" West along the East line of said Section 23, a distance of 107.45 feet to a point lying on the South right-of-way line of Lake Park West Road as now laid out and in use; thence West along said South Right-of-Way line a distance of 1606.00 feet to the Point

of Beginning and the Northeast corner of the hereinafter described parcel; thence continue West along said South right-of-way line a distance of 306.48 feet to a point; thence South a distance of 550.00 feet to a point; thence East a distance of 156.48 feet to a point on a curve concave to the Northwest; thence Northerly and Easterly along the arc of said curve, having a radius of 550.00 feet and a central angle of  $15^{\circ}49'36''$ , a distance of 151.93 feet to a point; thence North a distance of 529.19 feet to the Point of Beginning. Subject to an easement on the south 50 feet (as measured from North to South, at right angles to) **thereof** for canal and drainage purposes. Together with the following described parcel: A parcel of land lying and being in the Northeast 1/4 of Section 23, Township 42 South, Range 42 East, more particularly described as follows: From the Northeast section corner of said Section 25, Township 42 South, Range 42 East; thence run South  $00^{\circ}09'46''$  West along the East line of said Section 23, a distance of 107.45 feet to a point in the South right-of-way line of Lake Park West Road, as now laid out and in use; thence run West along said South right-of-way line a distance of 1912.48 feet to the Point of Beginning of the herein described parcel; thence continue West along said South right-of-way line a distance of 150.00 feet to a point; thence run South a distance of 550.00 feet to a point; thence run East a distance of 150.00 feet to a point; thence run North a distance of 550.00 feet to the Point of Beginning. Said parcels being in the unrecorded subdivision of Horseshoe Acres as prepared by William G. Wallace, Inc., Drawing No. 69-16, sheet 2 of 4, dated January 12, 1969. Subject to an easement on the South 50 feet thereof for canal and drainage purposes. Said property located on the south side of Lake Park Road West (S.R. 809A), approximately .1 mile west of Kelso Drive in an AR-Agricultural Resident District was approved as advertised subject to the following conditions:

1. The property owner shall convey to Palm Beach County, within ninety (90) days of approval, 80 feet from the centerline for the ultimate right-of-way line for Northlake Boulevard, approximately an additional 30 feet of right-of-way.
2. The developer shall relocate the existing gate on the entrance road a minimum distance of 150 feet south of the ultimate right-of-way line for Northlake Boulevard.

3. The developer shall contribute Nine Hundred and Fifty Dollars (\$950.00) toward the cost of meeting this project's direct and identifiable impact, **to** be paid at the time of the issuance of the building permits.
4. The development must retain onsite 85% of the storm-water runoff generated by a three (3) year storm per requirements of the County Engineer's Land Development Division Permit Section.
5. The developer shall take reasonable precautions during the development of this property to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties.
6. The developer shall take necessary measures during the development of this property **to** prevent pollutant runoff to neighboring and nearby surface waters.

Commissioner Wilken , moved for approval of the petition.

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

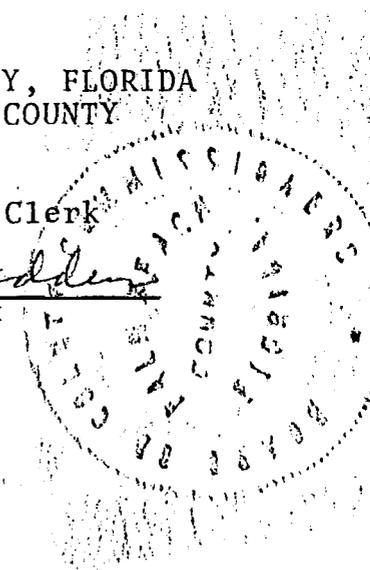
Peggy E. Evatt, Chairman	-	ABSENT
Ken Spillias, Vice Chairman	-	AYE
Dennis P. Koehler, Member	-	ABSENT
Dorothy Wilken, Member	-	AYE
Bill Bailey, Member	-	AYE

The foregoing resolution was declared duly passed and adopted this 13th day of September , 1983 , confirming action of 24th March 1983.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: Frederick Medd  
Deputy Clerk



APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

John B. Lett  
County Attorney