

RESOLUTION NO. R- 86-456

RESOLUTION APPROVING ZONING PETITION 80-73(B), 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. 80-73(B) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 30th December 1985; 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. This proposal is consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 30th of December 1985, that Petition No. 80-73(B) the petition of ST. ANDREWS DEVELOPMENT COMPANY OF BOCA RATON, INC. AND ST. ANDREWS LAKES INC. , By William Boose, Esquire, for a SPECIAL EXCEPTION TO AMEND THE MASTER PLAN FOR ST. ANDREWS PLANNED UNIT DEVELOPMENT, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 80-73 AND 80-73(A) , TO DELETE APPROXIMATELY 100 ACRES on Section 33, Township 46 South, Range 42 East, subject to a road right-of-way and easement over and across the South 45.0 feet thereof as recorded in Deed Book 729, Page 498,

together with:

The Northwest 1/4 of Section 34, Township 46 South, Range 42 East, less and except the East 1688.84 feet, as measured at right angles, thereof.

Subject to an easement for Lake Worth Drainage District Canal L-38 over the North 105 feet thereof. Said property located on the north side of Clintmoore Road, approximately .5 mile west of Carter Road, being bounded on the west by Florida's (Sunshine State Parkway) Turnpike in an RT-Residential Transitional District, in part, and an RE-Residential Estate District, in part was approved as advertised subject to the following conditions:

1. Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.
2. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.

3. The petitioner shall comply with all previously approved conditions of Petition 80-73 and 80-73(A) except as herein amended.

4. Condition No. 6 of Resolution No. R-80-1003 which states:

"6. Petitioner shall contribute the pro-rata share for the cost of signalization of:

- a. Old Clint Moore Road and Military Trail
- b. Clint Moore Road and Military Trail
- c. Clint Moore Road and S.R. 7

when warranted, as determined by the County Engineer."

is hereby amended to state.

"6. The property owner shall provide Palm Beach County a road drainage easement within the project's internal lake system for legal positive outfall to accommodate the runoff of Jog Road and Clint Moore Road along the property frontage and for a minimum 400 ft. distance each side of the property boundary lines along Clint Moore Road and Joy Road. The drainage system within the project shall have sufficient retention/detention capacity to accommodate the ultimate Thoroughfare Plan Section road drainage runoff and be subject to all governmental agency requirements."

5. The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.

6. Prior to Master Plan Certification, the Master Plan shall be revised to reflect exact dwelling unit counts for all tracts that have been previously site planned and/or platted.

Commissioner Owens, moved for approval of the petition. The motion was seconded by Commissioner Spillias, and upon being put to a vote, the vote was as follows:

Ken Adams, Chairman	--	AYE
Karen T. Marcus, Vice Chairman	--	ABSENT
Kenneth Spillias, Member	--	AYE
Jerry L. Owens, Member	--	AYE
Dorothy Wilken, Member	--	ABSENT

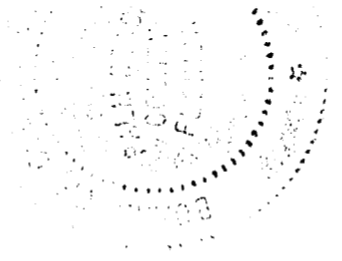
The foregoing resolution was declared duly passed and adopted this 8th day of April confirming action of the 30th December

1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara O. Lohm
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Maude Spigner
County Attorney