

RESOLUTION NO. R- 87-103

RESOLUTION APPROVING ZONING PETITION 86-27(A), 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. 86-27(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on July 24, 1986 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. With required master plan modification, this proposal will be 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 27th day of January, 1987, that: Petition No. 86-27(A), the petition of DIXSEN DEVELOPMENT CORPORATION By L. Joe Dixon, Agent, for a SPECIAL EXCEPTION TO AMEND AND EXPAND THE MASTER PLAN FOR A MOBILE HOME RENTAL PARK, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 86-27 TO INCREASE THE LOT AREA BY 20.91 ACRES commencing at the Northeast corner of Lot 4, Tract 39, Township 44 1/2 South, Range 42 East, run thence North 88 degrees 23'52" West along the North line of said Lot 4, also being the



thence North 1 degree 34'30" East, a distance of 113.96 feet to a point in said line parallel with and 40 feet Southerly from the North line of Lot 4, also being the Southerly Right-of-Way line of Lantana Road, thence South 88 degrees 23'52" East along said parallel line a distance of 179.39 feet to the Point of Beginning. Together with: A parcel of land on the South side of Lantana Road described as the East 887 feet of the following described real property: All of Lot 1 and Lot 2 excepting the West 1/2 thereof as conveyed to Dr. Stanley Whitehill by deed recorded in Deed Book 1127, page 249, in Tract 40 of the Hiatus between Townships 44 and 45, Range 42 East, as surveyed by Brockway, Weber & Brockway in February, 1958. More fully described as follows: Being a parcel of land in Government Lot 1, Tract 40 of the Subdivision of the Hiatus between Township 44 South, Range 42 East, and Township 45 South, Range 42 East, further described as follows: Beginning at the Southeast corner of said Government Lot 1, Tract 40; thence on an assumed bearing of North 24 degrees 13'00" West, along the East line of said Lot 1 a distance of 1151.37 feet to the Northeast corner of said Lot 1; (said Northeast corner also being along the centerline of Lantana Road as now laid out and in use); thence running North 88 degrees 26'15" West, along the North line of said Lot 1, and centerline of Lantana Road, a distance of 887.7 feet, more or less; thence running South 23 degrees 23'42" East, a distance of 1182.04 feet to the South line of said Lot 1 and the North line of Section 4, Township 45 South, Range 42 East; thence running North 89 degrees 19'59" East, along said line, a distance of 889.07 feet to the Point of Beginning. Excepting therefrom the North 40 feet for road Right-of-way, excluding Lantana Road Right-of-way. Said property located on the south side of Lantana West Road (S.R. 812), approximately .3 mile west of Jog Road was approved as advertised subject to the following conditions:

1. The conditions of all previous approvals shall remain in force unless expressly modified herein.

2. Prior to master plan approval the master plan shall be revised to reflect the following:
  - a. a demonstration of compliance with the mobile home rental park open space requirements by including the methods of open space calculations within the site data.
  
3. The property owner shall convey for the ultimate right-of-way of:
  - a. Lantana Road, 54 feet from centerline,
  - b. Hagen Ranch Road, (80 feet total) on an alignment approved by the County Engineer prior to Site Plan Certification of the Master Plan within 90 days of the approval of the Resolution approving this project.
  
4. Condition No. 8 of Petition No. 86-27 which currently states:
 

"8. The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project presently is \$46,230.00 (575 trips X \$80.40 per trip)."

is hereby amended to state:

"8. The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project presently is \$86,028."
  
5. Eased on the Traffic Performance Standards (Category "B"), the Developer contribute an additional \$21,507 toward Palm Beach County's existing Roadway Improvement Program, these total funds of \$107,535 to be paid prior to January 1, 1987.
 

If the "Fair Share Contribution for Road Improvements Ordinance" is amended to increase the Fair Share Fee, this additional amount of \$21,507 shall be credited toward the increased Fair Share Fee.
  
6. The petitioner shall convey to the Lake Worth Drainage District the south 30 feet of the subject parcel for the right of way for Canal No. 16. by Quit Claim Deed or an Easement Deed in the form provided by said District within 90 days of adoption of the Resolution by the Board of County Commissioners.
  
7. A Unity of Title Rgreement shall be submitted for the entire 38 acre site prior to master plan approval.
  
8. Maximum residential density shall be limited to 5.0 du/ac on the additional 20.91 acres.
  
9. Prior to master plan approval, a Landscape Betterment Plan shall be submitted which indicates supplemental landscaping on individual mobile home lots.

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

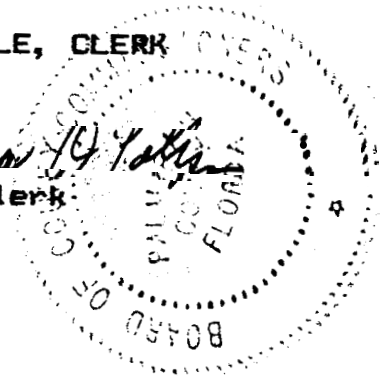
Karen T. Marcus, Chairman	--	AYE
Jerry L. Owens, Vice Chairman	--	AYE
Ken Spillias, Member	--	AYE
Dorothy Wilken, Member	--	ABSENT
Kenneth M. Adams, Member	--	ABSENT

The foregoing resolution was declared duly passed and adopted this 27th day of January, 1982, confirming action of July 24, 1986.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Barbara G. Yellin*  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

*AM*  
\_\_\_\_\_  
County Attorney

centerline of Lantana Road a distance of 420.00 feet; then South 26 degrees 29'02" East and running parallel with the East line of said Lot 4, a distance of 45.34 feet; to a line parallel with and 40 feet Southerly from, measured at right angles to, the said North line of Lot 4, also being the Southerly Right-of-way line of Lantana Road and the Point of Beginning of the herein described parcel: Thence continue South 26 degrees 29'02" East and parallel with the East line of Lot 4, a distance of 1087.83 feet to a point in the South line of said Lot 4; thence South 89 degrees 15'59" West along the South line of Lot 4, a distance of 952.23 feet to the Southwest corner of said Lot 4; thence North 24 degrees 36'26" West along the West line of said Lot 4 also being the West line of said Tract 39, a distance of 1112.97 feet to said line parallel with and 40 feet Southerly from the North line of Lot 4; thence South 88 degrees 23'52" East along said parallel line, a distance of 930.83 feet to the Point of Beginning. Excepting therefrom the following described parcel: Commencing at the Northeast corner of Lot 4 of Tract 39, Township 44 1/2 South, Range 42 East, run thence North 88 degrees 23'52" West along the North line of said Lot 4, also being the centerline of Lantana Road, a distance of 420.00 feet; thence South 26 degrees 29'02" East and parallel with the East line of said Lot 4, a distance of 45.34 feet to a line parallel with and 40 feet Southerly from, measured right angles to, the said North line of Lot 4, and the Point of Beginning of the hereon described parcel; thence continue South 26 degrees 29'02" East and parallel with East line of said Lot 4 a distance of 250.58 feet; thence South 63 degrees 30'58" West a distance of 25.00 feet; thence South 1 degree 34'30" West, a distance of 168.19 feet; thence South 46 degrees 34'30" West, a distance of 152.45 feet; thence North 88 degrees 25'30" West a distance of 208.86 feet; thence North 43 degrees 25'30" West, a distance of 97.07 feet; thence North 1 degree 34'30" East, a distance of 216.26 feet; thence North 46 degrees 34'30" East, a distance of 155.71 feet;