

RESOLUTION NO. R- 87-1109

RESOLUTION APPROVING ZONING PETITION 82-73(A): Special Exception

WHEREFIS, 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

WHEREFIS, 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

WHEREFIS, Petition No. 82-73(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on March 27, 1987 and

WHEREFIS, 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

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

1. With required master plan modifications, this proposal will be consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session that Petition No. 82-73(A), the petition of FIMREP SOUTHEAST INC., by Arthur J. Schneider, Agent, for a SPECIAL EXCEPTION TO AMEND THE MASTER PLAN FOR A PLANNED UNIT DEVELOPMENT PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 82-73 TO CHANGE THE HOUSING CATEGORY FROM B TO C AND TO REDESIGN PARCEL 2 on a certain parcel of land lying in the Northeast 1/4 of Section 27, Township 43 South, Range 42 East, more particularly described as follows:

commencing at the Northeast corner of said Section 27, run South 01 degree 52' 53" West (the North line of said Section 27 bears South 88 degrees 18' 09" East, as shown on Sunshine State Parkway Right-Of-Way maps) along the East line of Section 27, also being the centerline of Drexel Road, a distance of 1326.91 feet; thence, North 88 degrees 11' 11" West, a distance of 40.0 feet to a point on the West Right-of-way line (80 foot Right-of-way) of Drexel Road and 30.0 feet North of the Northeast corner of Meadowbrook Mobile Home Park unrecorded. Said point also being the point of beginning of the hereinafter described parcel; thence, continue North 88 degrees 11' 11" West, along a line parallel to and 30.0 feet North of, as measured at right angles to, the North line of said Meadowbrook Mobile Home Park, a distance of 2192.66 feet; thence North 01 degree 48' 49" East, a distance of 342.31 feet; thence, North 88 degrees 11' 11" West, a distance of 220.0 feet to a point on the East Right-of-way of the aforementioned Sunshine State Parkway; thence, North 41 degrees 01' 56" East, along said East Right-of-way line, a distance of 1150.19 feet to a point 90.0 feet South of, as measured at right angles to, the North line of Section 27 and the Centerline of Okeechobee Boulevard; thence, South 88 degrees 18' 09" East, parallel to the Centerline of Okeechobee Boulevard, a distance of 534.02 feet; thence, North 88 degrees 50' 06" East, a distance of 300.37 feet to a point 75.0 feet South of as measured at right angles to, the Centerline of Okeechobee Boulevard; thence, South 88 degrees 18' 09" East, parallel to the Centerline of Okeechobee Boulevard, a distance of 253.36 feet; thence, South 01 degree 52' 53" West, along a line parallel to the East line of Section 27, a distance of 891.20 feet; thence, South 88 degrees 18' 09" East, a distance of 600 feet to a point on the West Right-of-way line of Drexel Road; thence South 01 degree 52' 53" West, along said West Right-of-way, a distance of 360.71 feet to the point of beginning. LESS and excepting the following described parcels of land: A parcel of land lying along Okeechobee

Boulevard in the Northeast Corner of the above-described parcel, having an East line of 515 feet, a South line of 620 feet, a West line of 500 feet, and a North line of 620.38 feet. A certain parcel of land lying in the Northeast 1/4 of Section 27, Township 43 South, Range 42 East, commencing at the Northeast Corner of said Section 27, run South 01 degree 52' 53" West (the North line of said Section 27 Bears South 88 degrees 18' 09" East, as shown on Sunshine Parkway Right-of-way Maps) along the East line of Section 27, also being the Centerline of Drexel Road, a distance of 1326.91 feet; thence, North 88 degrees 11' 11" West, a distance of 40.00 feet to a point on the West Right-of-way line (80-foot Right-Of-Way) of Drexel Road and 30.00 feet North of the Northeast corner of Meadowbrook Mobile Home Park, unrecorded. Said point also being the point of beginning of the hereinafter described parcel; thence, continue North 88 degrees 11' 11" West, along a line parallel to and 30.00 feet North of, as measured at right angles to, the North line of said Meadowbrook Mobile Home Park, a distance of 898.53 feet; thence, North 01 degree 52' 53" East, a distance of 735.09 feet; thence South 88 degrees 18' 09" East, a distance of 298.53 feet; thence, South 01 degree 52' 53" West a distance of 376.20 feet; thence, south 88 degrees 18' 09" East, a distance of 600 feet to a point on the Westerly Right-of-way line of Drexel Road; thence, South 01 degree 52' 53" West, along said West Right-of-way, a distance of 360.71 feet to the point of beginning. The property is located on the southeast corner of the intersection of Okeechobee Boulevard (SR 704) and Florida's Turnpike (Sunshine State Parkway) in an RM-Multiple Family Residential Zoning District (Medium Density) and was approved as advertised subject to the following conditions:

1. The developer shall comply with all previous conditions of approval unless expressly modified herein.
2. All property included in the legal description of this petition shall be subject to a Declaration of Restrictions and Covenants acceptable to the County Attorney's Office which shall provide, among other things, for : Formation of

a single "master" property owner's association, and automatic membership in the "master" association by any party holding title to any portion of the property included in the Planned Unit Development.

3. The developer 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 (300 units) presently is \$96,840.00 (1,200 trips X \$80.40 per trip).
4. Use of the site shall be limited to personal services and limited retail to serve residents only such as barbershop, convenience retail sales, dining facility, laundry and limited banking services.
5. There shall be no direct access from the commercial pod to Okeechobee Boulevard.

Commissioner Wilken, moved for approval of the petition.

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

Carol A. Roberts	-- Absent
Karen T. Marcus	-- Rye
Dorothy Wilken	-- Rye
Kenneth M. Adams	-- Absent
Carol J. Elmquist	-- Rye

The foregoing resolution was declared duly passed and adopted this 28th day of July, 1987 confirming action of March 27, 1987.

FILED BEFICH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Kathryn S. Miller
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY



County Attorney