

RESOLUTION NO. R- 90-352

RESOLUTION APPROVING ZONING PETITION NO. 88-66(A)
MODIFICATION OF COMMISSION REQUIREMENTS
PETITION OF MRJ ENTERPRISES, INC.

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 have been satisfied; and

WHEREAS, Petition No. 88-66(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on October 2, 1989; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, 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, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, made the following findings of fact:

1. This proposal is consistent with the requirements of the Comprehensive and local land development regulations.

WHEREAS, 402.5 of the Zoning Code requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that Petition No. 88-66(A), the petition of MRJ ENTERPRISES, INC., by Stuart H. Cunningham, Agent, for a MODIFICATION OF COMMISSION REQUIREMENTS FOR QUIET WATERS PLANNED RESIDENTIAL DEVELOPMENT, on a parcel of land lying in Section 27, Township 44 South, Range 42 East commencing at the Northwest corner of said Tract 50; thence; North 90 Degrees 00' 00" East, along the North line of said Tract 50, a distance of 30.00 feet for a point of beginning; Thence, South 00 Degrees 00' 00" East, along a line 30.00 feet East of, as measured at right angles to the West line of said Tracts 50 and 63, a distance of 1289.68 feet; thence, North 90 Degrees 00' 00" East, along a line 30.00 feet North of, as measured at right angles to the South line of said Tracts 63 and 64, a distance of 946.37 feet to the intersection thereof with the curved Westerly right-of-way line of Lake Worth Drainage District Equalizing Canal E-2, said point lying on a curve concave Easterly, having a radius of 7839.44 feet and whose radius point bears North 88 Degrees 36' 49" East; thence Northerly along said curve and along the Easterly right-of-way line of said Lake Worth Drainage District Equalizing Canal E-2, through a central angle of 09 Degrees 29' 27", a distance of 1298.59 feet to the intersection thereof with the

North line of said Tract 49; thence North 90 Degrees 00' 00" West, along the North line of said Tracts 49 and 50, a distance of 1084.92 feet to the Point of Beginning; being located on the northeast corner of the intersection of Dillman Road and Marginal Road and bounded on the east by Florida's Turnpike (Sunshine State Parkway), in the RTS-Residential Transitional Suburban Zoning District, was approved on October 2, 1989 as advertised, subject to the following conditions:

1. The petitioner shall comply with all previous conditions of approval unless expressly modified herein.

2. Condition No. 5.b of Zoning Petition No. 88-66 which presently states:

"5.b. Within 90 days of approval of this project, the petitioner shall convey to Palm Beach County by road right-of-way warranty deed for:

b. 7th Place South, a total of 60 feet on an alignment approved by the County Engineer."

is hereby amended to read as follows:

"The petitioner shall provide 15 feet of additional right-of-way on the south side of 7th Place along an alignment approved by the County Engineer. The petitioner shall convey the right-of-way by warranty deed by February 1, 1990."

3. The application and engineering plans, calculations, etc. to construct well and/or septic tank must be submitted to the Health Department prior to site plan approval.

Commissioner Marcus moved for approval of the Resolution.

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

Carol J. Elmquist, Chair	--	Aye
Karen T. Marcus	--	Aye
Carol Roberts	--	Aye
Ron Howard	--	Aye
Carole Phillips	--	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 27th day of February, 1990.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Richard Otter*
COUNTY ATTORNEY

BY: *June J. Williams*
DEPUTY CLERK