

RESOLUTION NO. R-90-1304

RESOLUTION APPROVING ZONING PETITION NO. 87-32(A)
SPECIAL EXCEPTION PETITION OF WILLIE H. DAY AND JACK E. COOK
BY DEAN TURNEY, AGENT

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. 87-32(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on February 22, 1990; 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 Plan 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. 87-32(A), the petition of WILLIE H. DAY AND JACK E. COOK, BY DEAN TURNEY, AGENT, for a SPECIAL EXCEPTION TO AMEND THE MASTER PLAN FOR BEACON PINES EAST AND WEST PLANNED UNIT DEVELOPMENT TO DECREASE THE LAND AREA on a parcel of land lying on the North 360.00 feet of Tract 10, Block 4, PALM BEACH FARMS COMPANY Plat No. 3, Plat Book 2, Pages 45 through 54, less the West 200.00 feet of the East 210.00 feet of the North 300.00 feet thereof, and less the West 7.00 feet of the South 300.00 feet of the North 360.00 feet thereof, lying in Section 28, Township 43 South, Range 42 East, and being located on the southwest corner of the intersection of Skees Road and 15th Street North in a RS-Single Family Residential Zoning District, was approved on February 22, 1990 as advertised, subject to the following conditions:

1. The petitioner shall comply with all previous conditions of approval unless expressly modified herein.
2. Prior to certification, the Master Plan shall be amended to indicate:

- a. Proposed recreation amenities offered within the recreation track.
 - b. The twenty-five (25) foot PUD buffer along Skees Road and the southern property line shall meet the buffer requirements of Perimeter Landscape Buffer Alternative #3 including minimum ten (10) foot high native canopy trees spaced an equivalent of twenty (20) feet on center. Tree credits shall be given for native trees existing or relocated into this buffer from the site interior.
3. The petitioner shall preserve native vegetation located with the PUD buffers and open space tracts and relocate or incorporate into the site development plan any native vegetation deemed relocatable by the Department of Environmental Resource Management.
 4. Prior to Site Plan Review submittal, the petitioner shall submit a tree survey or acceptable alternative to locate and verify preservation of existing native vegetation.
 5. Condition #6 of Zoning Petition 87-32 presently states:
 - "6. The property owner shall construct a left turn lane, north approach and a left turn lane, south approach on Skees Road at the project's entrance road concurrent with on site paving and drainage improvements."

is hereby amended to read:

"The property owner shall construct a left turn lane, south approach on Skees Road at the project's entrance road concurrent with on site paving and drainage improvements."

Commissioner Marcus moved for approval of the Resolution.

The motion was seconded by Commissioner Howard 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 7th day of August, 1990.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

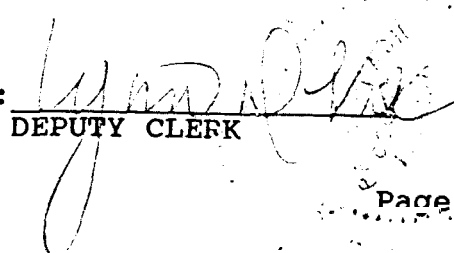
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK

Petition No. 87-32(A)