

RESOLUTION NO. R-91-363

RESOLUTION APPROVING ZONING PETITION NO. 72-118(B)  
MODIFICATION OF COMMISSION REQUIREMENTS  
PETITION OF BOARD OF COUNTY COMMISSIONERS, CAROL ELMQUIST, CHAIR

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. 72-118(B) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on October 25, 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. 72-118(B), the petition of Board of County Commissioners, Carol Elmquist, Chair, for a MODIFICATION OF COMMISSION REQUIREMENTS FOR THE RIVIERA/BOCA CHASE PUD TO ADD A CONDITION TO STATE THAT REMOVAL/EXCAVATION OF ON-SITE MATERIALS/FILL FOR OFF-SITE USE WILL CEASE ON OR BY MAY 31, 1991, on a parcel of land lying in the east 400.00 feet of tracts 9, 10, 11, 12 and 13, "Florida Fruit Lands Company's Subdivision No. 2, in section 1, township 47 south, range 41 east, plat book 1, page 102, and a portion of tracts 3, 4, 5 and 6, said Florida Fruit Lands Company's Subdivision No.2, commencing at the northeast corner of said section 1, run on an assumed bearing of due west along the north line of said section 1 for 175.13 feet; thence run south 00° 28' 02" east along a line parallel to and 190.00 feet west of, as measured at right angles to the Florida Department of Transportation Base Line, as re-established April 1974, based on information supplied by the Florida Department of Transportation, for 494.96 feet; thence run south 00° 05' 37" east along a line parallel to and 190.00 feet west of, as measured at right angles to the aforesaid Florida Department of Transportation Base Line, for 256.57 feet to a point of intersection with the north line of tract 3 and the Point of Beginning of the hereinafter described parcel of land; thence continue south 00° 05' 37" east along the last described course for 1,502.84 feet to a point of intersection with the south line of**

tract 6; thence run north 89° 48' 37" west along the south line of said tract 6 for 1,153.92 feet; thence run north 00° 17' 47" west along the west line of tracts 6, 5, 4 and 3, respectively for 1,500.32 feet; thence run south 89° 56' 12" east along the north line of aforesaid tract 3 for 1,159.22 feet to the Point of Beginning, less the right-of-way for 181st Street south as shown on Riviera Section One, Plat Book 30 at Page 101. Together with a parcel on tract 19, Florida Fruit Lands Company's Subdivision No. 2 and a parcel on tract 32, said Florida Fruit Lands Company's Subdivision No. 2, and the north 400.00 feet of the northeast ¼ of section 2, township 47 south, range 41 east, located on the west side of U. S. 441 bounded on the north by 180th Street North (Clint Moore Road) within Riviera Boca Chase PUD, in the RS Zoning District, was approved on October 25, 1990, as advertised, subject to the following conditions:

1. The developer shall comply with all previous conditions of approval unless expressly modified herein.
2. Any and all off-site trucking of fill or other excavated material from the Riviera/Boca Chase Planned Unit Development (Zoning Petition No. 72-118) shall completely cease on or before May 31, 1991.

Commissioner Foster moved for approval of the Resolution.

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

Karen T. Marcus, Chair	--	AYE
Carole Phillips	--	ABSENT
Carol A. Roberts	--	ABSENT
Carol J. Elmquist	--	ABSENT
Mary McCarty	--	AYE
Ken Foster	--	AYE
Maude Ford Lee	--	AYE

The Chair thereupon declared the resolution was duly passed and adopted this 26th day of March, 1991.

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

