

RESOLUTION NO. R-93- 1533

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. CR 84-71F/10
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-89-1159
WHICH APPROVED THE SPECIAL EXCEPTION OF
RAINBERRY DEVELOPMENT FOUR, INC. AND
FIRST AMERICAN EQUITY POLO CORPORATION
PETITION NO. 84-71(F)

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, systematic monitoring and review of approved zoning actions help implement the goals and objectives of the Comprehensive Plan.

WHEREAS, the notice and hearing requirements as provided for in Section 5.8 of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, pursuant to Section 5.8, Status Report CR 84-71F/10 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on December 6, 1993; and

WHEREAS, the Board of County Commissioners has reviewed Status Report CR 84-71F/10 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies: and

WHEREAS, Section 5.8 of the Palm Beach County Land Development Code authorizes the Board of County Commissioners to add or modify conditions of approval; and

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

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations.
2. The Palm Beach County Engineering Department has determined that the drainage easement required by condition number 10 of Resolution R-89-1159 is no longer needed.

WHEREAS, Section 5.3 of the Palm Beach County Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that the recommendation of Status Report No. CR 84-71F/10, amending Conditions of Approval of Resolution No. R-89-1159, the Special Exception of Kainberry Development Four, Inc. and First American Equity Polo Corporation, Petition No. 84-71(F), confirmed by the adoption of Resolution R-89-1159, which granted a Special Exception to amend and expand the master plan for the Polo Club Planned Unit Development (Petition No. 84-71(E) to (1) increase the acreage, (2) include a congregate living facility type 3 (maximum of 454 residents), (3) transfer 261 units from Parcels P-3 and P-6 to Parcel R, and (4) convert 37 dwelling units to 96 congregate living facility beds (approval extinguishes an adult congregate living facility (Petition No. 87-18), on a parcel of land situated in Sections 26, 27, 34 & 35, Township 46 South, Range 42 East, more particularly described as follows:

Commencing at the Southeast corner of said Section 35, thence North 01 degree 08' 04" West along the East line of said Section 35, a distance of 534.60 feet: thence South 88 degrees 51' 56" West and perpendicular to said East line, a distance of 75.00 feet to a line 75.00 feet West of and parallel with said East line of Section 35, and the Point of Beginning.

From the Point of Beginning, North 01 degree 08' 04" West along said parallel line, a distance of 2146.23 feet: thence North 01 degree 07' 50" West, continuing along said East line, a distance of 2679.84 feet to the North line of said Section 35; thence South 89 degrees 07' 45" West along said North line, a distance of 2608.14 feet to the North 1/4 corner of said Section 35; thence South 89 degrees 07' 44" West continuing along said North line, a distance of 1291.26 feet to the East line of the West 70.00 feet of the East 1/2 of the Southwest 1/4 of said Section 26; thence North 00 degrees 35' 03" West along said East line, a distance of 2700.04 feet to the North line of the Southwest 1/4 of said Section 26; thence along said North line North 89 degrees 15' 53" East, a distance of 598.91 feet: thence North 01 degrees 41' 35" West, a distance of 677.85 feet, thence North 89 degrees 21' 35" East, a distance of 319.07 feet; thence North 00 degrees 48' 08" West, a distance of 677.33 feet; thence South 89 degrees 27' 19" West, a distance of 1317.74 feet; thence North 00 degrees 31' 48" West, a distance of 1359.04 feet: thence South 89 degrees 38' 50" West, a distance of 497.82 feet; thence South 00 degrees 26' 56" East, a distance of 60 feet: thence South 89 degrees 38' 50" West, a distance of 497.91 feet: thence South 00 degrees 22' 04" East, a distance of 2664.76 feet to the West 1/4 corner of said Section 26; thence along the North line of the Southwest 1/4 of said Section 26, North 89 degrees, 15' 53" East, a distance of 1003.37 feet; thence South 00 degrees 31' 48" East, a distance of 70.00 feet to a line 70.00 feet South of and parallel with said North line; thence South 89 degrees 15' 53" West along said parallel line, a distance of 334.522 feet: thence North 00 degrees 28' 33" West a distance of 70.00 feet to said North line: thence South 89 degrees 15' 53" West along said North line, a distance of 668.91 feet to the aforementioned West 1/4 corner of said Section 26; thence South 89 degrees 22' 58" West, along the North line of the Southeast 1/4 of said Section 27, a distance of 2685.34 feet to the North-South 1/4 section line of said Section 27; thence South 00 degrees 17' 34" East along the said North-South line, a distance of 680.52 feet; thence North 89 degrees 23' 50" East, a distance of 1343.11 feet to the West line of the East 1/2 of the Southeast 1/4 of said Section 27: thence South 00 degrees 19' 49" East along said West line, a distance of 1361.70 feet; thence South 89 degrees 25' 34" West, a distance of 1008.00 feet: thence South 00 degrees 18' 08" East, a distance of 668.34 feet to the North line of said Section 34; thence South 89 degrees 13' 10" West along said North line, a distance of 308.64 feet to the North 1/4 corner of said Section 34: thence South 01 degrees 03' 59" East along the North-South 1/4 section of line of said Section 34, a distance of 1388.00 feet to the North line of the Southwest 1/4 of the Northeast 1/4 of said Section 34; thence North 89 degrees 23' 45" East along said North line, a distance of 1310.00 feet to the East line of the Southwest 1/4 of the Northeast 1/4 of said Section 34; thence South 01 degrees 03' 59" East along said East line, a distance of 1287.91 feet to the South line of the Northeast 1/4 of said Section 34; thence North 89 degrees 23' 45" East along said South line, a distance of 1376.11 feet to the East 1/4 corner of said Section 34; thence North 89 degrees 04' 44" East along the East-West 1/4 section line of said Section 35, a distance of 2763.08 feet, thence South 00 degrees 13' 47" East a distance of 2655.00 feet to a line 25.00 feet North of and parallel with the South line of said Section 35: thence North 89 degrees 06' 02" East along said parallel line, a distance of 1633.38 feet; thence North 10 degrees 28' 56" East a distance of 509.20 feet, thence North 21 degrees 23' 31" East a distance of 153.36 feet: thence North 88 degrees 51' 56" East, a distance of 150.00 feet; thence North 01 degree 00' 04"

West, a distance of 130.00 feet; thence North 88 degrees 51' 56" East, a distance of 420.00 feet; thence South 01 degree 08' 04" East, a distance of 130.00 feet; thence South 54 degrees 15' 52" East, a distance of 100.00 feet; thence South 29 degrees 12' 25" East, a distance of 85.00 feet; thence North 88 degrees 51' 56" East, a distance of 90.00 feet to the Point of Beginning. Less plats recorded as follows: Plat Book 52, Pages 35-36; Plat Book 52, Page 124; Plat Book 52, Pages 184-185; Plat Book 52, Pages 186-187; Plat Book 53, Pages 1-2; Plat Book 53, Page 140; Plat Book 53, Pages 190-191; Plat Book 54, Page 36; Plat Book 55, Pages 34-35; Plat Book 55, Pages 195-196; Plat Book 56, Pages 60-61; Plat Book 56, Pages 117-119; Plat Book 57, Pages 46-49; Plat Book 57, Pages 50-52; Plat Book 57, Pages 53-54; Plat Book 57, Pages 89-90; Plat Book 57, Pages 114-115; Plat Book 57, Pages 118-120; Plat Book 59, Pages 8-12; Plat Book 59, Pages 31-32; Plat Book 59, Pages 41-42; Plat Book 59, Pages 110-112; Plat Book 59, Pages 153-154; Plat Book 60, Pages 53-55; Plat Book 60, Pages 91-94; Plat Book 61, Pages 104-106; Plat Book 61, Pages 166-167; Plat Book 62, Pages 88-89; Plat Book 62, Pages 115-117; Plat Book 62, Pages 188-189; Plat Book 63, Pages 59-62; Plat Book 63, Pages 120-122; Plat Book 64, Pages 124-131., being located on the northwest corner of the intersection of Military Trail (S.R. #809) and Clint Moore Road and bounded on the west by Proposed Jog Road and on the north by Lake Worth Drainage District lateral canal No. 36 in the RTS-Residential Transitional Suburban Zoning District, is approved, subject to the following conditions:

1. The petitioner shall comply with all previous conditions of approval unless expressly modified herein.
2. Condition number 10 of Resolution R-89-1159 which states:

The petitioner shall convey to Palm Beach County within 90 days of the approval of this project adequate road drainage easements through the project's internal surface water management system to provide legal positive outfall for all runoff from those segments of Linton Boulevard along the property frontage and for a maximum 400 ft. distance each side of the property boundary lines along Linton Boulevard. Said easements shall be no less than 20 feet in width. The drainage system within the project shall have sufficient retention/detention capacity to meet the storm water discharge and treatment requirements of the applicable County Water Control District and South Florida Water Management for the combined runoff from the project and District the ultimate

Thoroughfare Plan Road Section(s) of the included segment.

Is hereby deleted.

Commissioner Foster moved for approval of the Resolution.

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

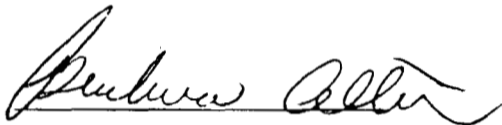
MARY MCCARTY, CHAIR	--	Aye
BURT AARONSON	--	Aye
KEN FOSTER	--	Aye
MAUDE FORD LEE	--	Aye
KAREN T. MARCUS	--	Absent
WARREN H. NEWELL	--	Absent
CAROL ROBERTS	--	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 6th day of December, 1993.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

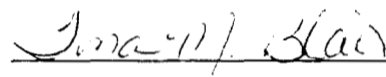
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY:



DOROTHY H. WILKEN, CLERK

BY:



DEPUTY CLERK

