

RESOLUTION NO. R-93- 1534

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. CR 79-161B/3
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-90-1322
WHICH APPROVED THE SPECIAL EXCEPTION OF
CORONER DEVELOPMENT CORP.
PETITION NO. 79-161(B)

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 79-161B/3 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on September 23, 1993; and

WHEREAS, the Board of County Commissioners has reviewed Status Report CR 79-161B/3 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. The condition is not needed because potential purchasers are screened by mortgage companies to determine the purchasers' ability to meet their financial responsibilities.

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 79-161B/3, amending Conditions of Approval of Resolution No. R-90-1322, the Special Exception of Coronet Development Corp., Petition No. 79-161(B), confirmed by the adoption of Resolution R-90-1322, which amended the Master Plan for Abbey Park Planned Unit Development and redesigned the site on a parcel of land lying in the South 1/2 of the Southeast 1/4 of Section 11, Township 44 South, Range 42 East; Said parcel of land being more particularly described as follows:

Commencing at the most Southerly corner of Tract "T-1" (Abbey Park), as shown on Abbey Park, Plat No. 1, as recorded in Plat Book 40, Pages 92 and 93; Thence, South 47 degrees 29'00" East, a distance of 103.39 feet to the Point of Curvature of curve to the left, having a radius of 165.00 feet; Thence Southeasterly, Easterly, and Northeasterly, along said curve, through a central angle of 69 degrees 05'00", a distance of 198.95 feet to the point of tangency, thence, North 63 degrees 26'00" East, a distance of

117.26 feet to the Point of Curvature of a curve to the right, having a radius of 189.00 feet; thence, easterly, along said curve, through a central angle of 26 degrees 34'00", a distance of 87.63 feet to the Point of Tangency: thence North 90 degrees 00'00" East, a distance of 340.01 feet for a POINT OF BEGINNING:

Thence, South 00 degrees 00'00" West, a distance of 532.24 feet to a point on the Northerly right-of-way line of Lake Worth Drainage District L-8 Canal, said point lying 40.00 feet Northerly of as measured at right angles to the South line of said Section 11: thence, North 89 degrees 53'26" East, along said right-of-way line, a distance of 1036.39 feet; thence, North 03 degrees 00'00" West, along a line parallel with and 54.00 feet Westerly of, as measured at right angles to the East line of the Southeast 1/4 of said Section 11, a distance of 1211.31 feet; thence, North 46 degrees 30'00" West, a distance of 34.43 feet to the Southerly right-of-way line of Forest Hill Boulevard: thence, North 90 degrees 00'00" West, along said right-of-way line, a distance of 667.73 feet; thence, South 45 degrees 00'00" West, departing said right-of-way line, a distance of 35.36 feet: thence, South 00 degrees 00'00" West, a distance of 220.08 feet: thence, South 10 degrees 33'00" East, a distance of 189.46 feet to the Point of Curvature of a curve to the left having a radius of 214.00 feet; thence, Southwesterly, along said curve, through a central angle of 42 degrees 23'00", a distance of 158.30 feet to the Point of Tangency: thence, South 31 degrees 50'00" West, a distance of 30.40 feet to the Point of Curvature of a curve to the left having a radius of 199.00 feet: thence, Southwesterly along said curve, through a central angle of 58 degrees 10'00", a distance of 202.02 feet to the Point of Tangency; thence, South 90 degrees 00'00" West, a distance of 173.31 feet to the POINT OF BEGINNING, being located on the southwest corner of Forest Hill Boulevard and Haverhill Road in the RM-Multiple Family Residential (Medium Density) Zoning District, is approved, as amended, subject to the following conditions:

1. The petitioner shall comply with all previous conditions of approval unless expressly modified herein.
2. Prior to December 1, 1993, the property owner shall have recorded an amendment to the Declaration and Agreement of Restrictive Covenants and Agreements required by Condition Number 3 of Resolution R-90-1323, made on June 20, 1990, to delete the following:
3. The term "affordable housing" shall have the meaning contained in the Palm Beach County Comprehensive Land Use Plan, Housing Element as of the date hereof or as such term may be modified in future amendments to the Palm Beach County Comprehensive Land Use Plan if such amendments allow more expensive housing to be constructed and/or sold. As presently defined "affordable housing" is housing for which a household in the categories defined in paragraph 2 above pays less than 30% of its gross income. Owner-occupied housing costs consist of mortgage payments, taxes,

insurance and utilities. Renter-occupied housing costs consist of contract rent and utilities.

Commissioner Foster moved for approval of the Resolution.

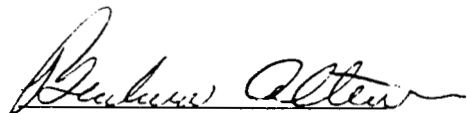
The motion was seconded by Commissioner Aaronson and, upon being put to a vote, the vote was as follows:

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

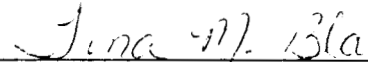
BY:



PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:


DEPUTY CLERK

