

RESOLUTION NO. R-95-7

RESOLUTION APPROVING ZONING PETITION **EAC73-219(E)**
DEVELOPMENT ORDER AMENDMENT
PETITION OF BREAKERS WEST DEVELOPMENT CORP.

WHEREAS, the Board of County Commissioners,, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, and the Palm Beach County Unified Land Development code,, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements, as provided for in Article 5 of the Palm Beach County Unified Land Development Code, have been satisfied; and

WHEREAS, Zoning Petition **EAC73-219(E)** was presented to the Board of County Commissioners at a public hearing conducted on January 6, 1995; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, this approval is subject to Article 5, Section 5.8 (Compliance **with** Time Limitations), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner; and

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

1. This Development Order Amendment is consistent with the Palm Beach County Comprehensive Plan.
2. This Development Order Amendment complies with the relevant and appropriate portions of Article 6, Supplementary Use Standards; of the Palm Beach County Unified Land Development Code.
3. This Development Order Amendment is consistent with the requirements of the Palm Beach County Unified Land Development Code.
4. This Development Order Amendment, with conditions as **adopted**, is compatible as defined in the Palm Beach County Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
5. This Development Order Amendment, with conditions as adopted, complies with the standards imposed on it by applicable provisions of the Palm Beach County Land Development Code for use, layout, function, and general development characteristics.
6. This Development Order Amendment meets applicable local land development regulations.
7. This Development Order Amendment, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.

8. This Development Order Amendment has a concurrency exemption and therefore complies with Article 11 (Adequate Public Facility Standards) of the Palm Beach County Unified Land Development Code.
9. This Development Order Amendment, with conditions as adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
10. This Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.

WHEREAS, Article 5 of the Palm Beach County Unified 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 Zoning Petition **EAC73-219(E)**, the petition of Breakers West Development Corp., for a DEVELOPMENT ORDER AMENDMENT in the Residential Single Family (RS) Zoning District, to redesignate land use within PUD from residential to recreation; delete Condition B.1 of Resolution R-93-513 (address limitation) and add an additional access point from Okeechobee Boulevard (maintenance area only), previously approved on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on January 6, 1995, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Aaronson moved for the approval of the Resolution.

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

Ken Foster, Chair	--	Aye
Burt Aaronson	--	Aye
Maude Ford Lee	--	Aye
Karen T. Marcus	--	W =
Mary McCarty	--	Aye
Warren Newell	--	Aye
Carol A. Roberts	--	Aye

The Chair thereupon declared that the resolution was duly passed and adopted this 6th day of January, 1995.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

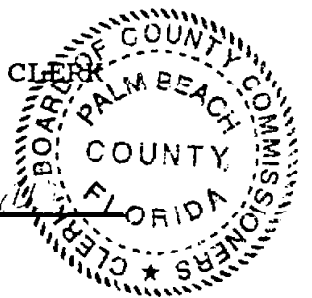
DOROTHY H. WILKEN, CLERK

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK



Lot of said Block 2 "Palm Co. Plat 3", a 3358.54
 Southeast corner said Lot 9: thence North 89°57'49" along line
 a distance 228.17 to the Southeast corner West Plat No.
 2", as shown Plat Book 36 at of the aforementioned public records, said
 lying on curve in Westerly line "Rubin Road" shown as 80 foot wide
 right-of-way said "Breakers West Plat No. 2", now "Sansbury's way", said curve being concave
 to the Northwest, having a radius of 1105.92 feet and a chord which bears South 33°05'53" West;
 thence Southwesterly along the arc of said curve, subtending a central angle of 00°10'15", a
 distance of 3.X feet to the end of said curve: thence South 33°11'01" West along a line 40.00
 feet northwest of and parallel with the centerline of said "Sansbury's Way", as shown on
 "Breakers West Plat No. 13" recorded in Plat Book 55 at pages 145 through 150, inclusive, of the
 aforementioned public records, a distance of 562.90 feet to the beginning of a curve concave to
 the Southeast having a radius of 1185.92 feet; thence Southerly along the arc of said curve,
 subtending a central angle of 33°07'27", a distance of 685.61; thence South 00°03'34" West, a
 distance of 202.87 feet to a point in the North line of the Lake Worth Drainage District Canal
 L-3 right-of-way, 75 feet in width. as shown on the aforementioned "Breakers West Plat No. 13";
 thence North 89°57'56" West along said canal North right-of-way line a distance of 1991.82 feet
 to the East line of Lot 11, Block 1 of the aforementioned "Palm Beach Farms Co. Plat No. 3";
 thence South 00°03'01" West, a distance of 75.00 feet to the Southeast Corner Of said Lot 11,
 Block 1: thence North 89°57'57" West along the South line of Lot 11 and Lot 12 of said Block 1,
 a distance of 2309.90 feet to the Southwest corner of said Lot 12; thence North 00°02'21" East
 along the West line of said Lot 12, a distance of 75.00 feet; to the North line of the
 aforementioned Lake Worth Drainage District L-3 Canal right-of-way; thence North 69°57'57" West
 along said canal North right-of-way line, a distance of 223.10 feet: thence North 00°02'21"
 East, parallel with and 223.10 feet West of the East line of said Lot 13, Block 1, a distance of
 585.76 feet to the North line of said Lot 13; thence North 89°57'43" West along the North line
 of said Lot 13, a distance of 600.18 feet to a point in the East line of the Lake Worth Drainage
 District E-1 Canal right-of-way, 150.00 feet in width; thence North 02°36'21" East along said
 canal East right-of-way line, a distance of 4054.49 feet to the Point of Beginning.

