

RESOLUTION NO. R-95- 1477

RESOLUTION APPROVING ZONING PETITION 84-92(B)
DEVELOPMENT ORDER AMENDMENT
PETITION OF MARIO SHLESINGER
BY SHAWN NIEMAN, KILDAY & ASSOCIATES, INC., AGENT

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 84-92B was presented to the Board of County Commissioners at a public hearing conducted on October 26, 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 Unified 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.

0. This Development Order Amendment has a concurrency determination 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 84-92(B), the petition of Mario Shlesinger for a Development Order Amendment to amend the master plan for the Indian Wells PUD to add one access point to the multifamily pod from Jog Road, 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 October 26, 1995.

Commissioner Roberts moved for the approval of the Resolution.

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

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

The Chair thereupon declared that the resolution was duly passed and adopted this 26th day of October 1995.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

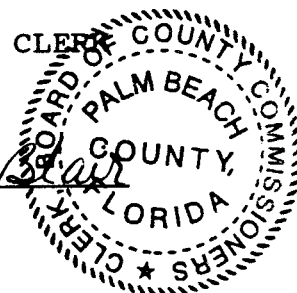
DOROTHY H. WILKEN, CLERK

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK



LEGAL DESCRIPTION

EXHIBIT "A"

LEGAL DESCRIPTION

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 27; TOWNSHIP 45 SOUTH; RANGE 42 EAST; PALM BEACH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 27; RUN S 89°-58'-05" E ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27 A DISTANCE OF 665.95 FEET; THENCE S 0°-03'-04" W A DISTANCE OF 53.00 FEET; THENCE S 89°-58'-05" E A DISTANCE OF 332.99 FEET; THENCE N 0°-01'-32" E A DISTANCE OF 53.00 FEET; THENCE S 89°-58'-05" E ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27 A DISTANCE OF 1331.89 FEET THENCE S 00°-04'-39" E A DISTANCE OF 63.00 FEET; THENCE S 89°-58'-05" E A DISTANCE OF 293.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF EL CLAIR RANCH ROAD; SAID RIGHT-OF-WAY LINE BEING 40.00 FEET WESTERLY OF AND PARALLEL WITH THE EAST LINE OF SAID SECTION 27; THENCE S 00°-06'-12" E ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 269.33 FEET; THENCE N 89°-59'-00" W ALONG THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 626.24 FEET; THENCE S 00°-03'-06" E ALONG THE WEST LINE OF THE EAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 1662.49 FEET; THENCE S 89°-56'-26" W ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 27 A DISTANCE OF 667.73 FEET; THENCE N 0°-00'-01" W ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 27 A DISTANCE OF 665.35 FEET; THENCE S 89°-58'-15" W ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 27 A DISTANCE OF 1334.28 FEET; THENCE N 0°-06'-09" E ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27 A DISTANCE OF 1332.12 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE EAST 40 FEET OF THE WEST 50.0' FEET OF THE NORTHWEST QUARTER OF SOUTHEAST QUARTER OF SAID SECTION 27, TOWNSHIP 45 SOUTH, RANGE 42 EAST.

CONTAINING 75.24 ACRES.

JB/legal/indianw.pud

EXHIBIT B
VICINITY SKETCH

