

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 73-52.2
TO **AMEND** CONDITIONS OF APPROVAL OF RESOLUTION NO. R-73-397
WHICH APPROVED THE SPECIAL EXCEPTION OF
EPIC CORPORATION
PETITION NO. 73-52

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 SR 73-52.2 **was** presented to the Board of County Commissioners of Palm Beach County **at** a public hearing conducted on March 26, 1998; and

WHEREAS, the Board **of** County Commissioners has reviewed **Status Report SR 73-52.2** 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** amendment to conditions of approval **is** consistent with the Palm Beach County Comprehensive Plan and with the Unified **Land** Development Code.
2. Subsection 6.8.A.20.b of the Unified Land Development Code requires **all** property within a Planned Unit Development to be platted.
3. Subsection 6.8.A.20.a. of the **Unified** Land Development Code requires a Planned Unit Development to "...proceed in a reasonably continuous and timely manner according to a phasing and platting schedule..."
4. The new condition **of** approval provides the required phasing and platting schedule for the balance of the Planned Unit Development.
5. **The** condition of approval **will** increase the **likelihood** that **all** land within the Planned Unit Development is platted, and that the non residential land with the Planned Unit Development **is** platted "...in a timely manner..."

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. SR 73-52.2**, to amend Conditions of Approval of Resolution No. **R-94-8**, the petition of The Resort at Indian Springs, Petition **79-52(F)**, which approved a **DEVELOPMENT ORDER AMENDMENT** on property legally described as: **PLATTED PARCEL** on a parcel of land being all of Bannock at Indian Spring, in Section **35**, Township **45 South**, Range **42 East**, as recorded in Plat **Book 41**, Pages **35** and **36**, together with, a portion of **Tract C-2**, of Indian Springs, Plat No. **3**, as recorded in Plat Book **41**, pages **6 through 8**, inclusive, said parcel being more particularly described as follows:

Beginning at **the most Southerly** corner of said plat of Bannock at Indian Springs; thence, bear **South 65 degrees 09'50" West**, a distance of **120.00** feet; thence, **North 32 degrees 11'25" West**, a distance of **570.19** feet to a point of curvature of a curve to the right having a radius of **1500.00** feet; thence **Northerly** along said curve, and along the **Westerly boundary** line of said Plat of Bannock at Indian Spring, through a *central* angle of **24 degrees 11'26"**, a distance of **633.30** feet to a point on a curve **Northerly**, having a radius of **840.00 feet**, and whose radius point bears **North 02 degrees 30'00" East**; thence, **Easterly**, along said curve and along the **North boundary** line of said plat of Bannock at Indian Spring, through a *central* angle of **03 degrees 00'00"**, a distance of **43.98** feet to the end of said curve; thence, **North 88 degrees 17'50" East**, continuing along said line, non-tangent to said **840.00** foot radius curve, a distance of **51.70** feet to a Point on a curve concave **Northerly**, having a radius of **840.00** feet, and whose radius point bears **North 09 degrees 00'00" West**; thence, **Easterly**, along said curve, and continuing along said **North boundary** line, through a *central* angle of **15 degrees 50'10"**, a distance of **233.55** feet to the point of tangency; thence, **North 65 degrees 09'50" East**, continuing along said **North boundary** line, a distance of **75.00** feet; thence, **South 69 degrees 50'10" East**, continuing along said **North boundary line**, a distance of **35.36** feet; thence, **South 24 degrees 10'50' East**, along the **East boundary line** of said plat of Bannock at Indian Spring, a distance of **467.22** feet to a point of curvature of a curve to the right, having a radius of **845.00** feet; thence, **Southerly**, continuing along said **East boundary** line, through a *central* angle of **42 degrees 44'07"**, a distance of **630.26** feet to the point of tangency; thence **South 17 degrees 53'57" East**, continuing along said **East boundary line**, a distance of **79.36** feet to the Point of Beginning, being located approximately **1/8** of a mile west of **Military Trail** on the north side of **Woolbright Road** in the **RS-Single Family Zoning** District, is approved, **subject** to the following conditions:

1. All previously approved conditions of approval contained in Resolution **R-94-8** continue to apply unless expressly amended herein. **(ONGOING)**
2. Prior to recordation of the next residential plat, a plat shall be recorded for all

unplatted areas of the golf course within this Planned Unit Development. (PLAT: ENG)

Commissioner Newell 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:

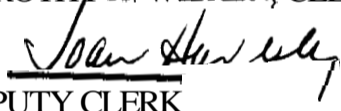
BURT AARONSON, CHAIRMAN	—	AYE
MAUDE FORD LEE, VICE CHAIR	—	AYE
KEN FOSTER	—	ABSENT
KAREN T. MARCUS	—	ABSENT
MARY MCCARTY	—	AYE
WARREN H. NEWELL	—	AYE
CAROL ROBERTS	—	ABSENT

The Chair thereupon declared the resolution was duly passed and adopted this 26 day of March, 1998.

APPROVED AS TO FORM AND LEGAL, SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

BY: 
COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK
BY: 
DEPUTY CLERK

