

RESOLUTION NO. R-88-1201

RESOLUTION APPROVING ZONING PETITION NO. 82-73(B)
MODIFICATION OF COMMISSION REQUIREMENTS
PETITION OF AMREP SOUTHEAST, INC.

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, the notice and hearing requirements as provided for in Chapter 402.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 82-73(B) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on July 23, 1987; and

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

WHEREAS, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) 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 proposal is consistent with the requirements of the Comprehensive and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that Petition No. 82-73(B), the petition of AMREP SOUTHEAST, INC., for a MODIFICATION OF COMMISSION REQUIREMENTS TO AMEND/DELETE CERTAIN CONDITION(S) PLACED ON A PLANNED UNIT DEVELOPMENT (THE MEADES), on a parcel of land lying in the Northeast 1/4 of Section 27, Township 43 South, Range 42 East, more particularly described as follows: commencing at the Northeast corner of said Section 27, run South 01 degree 52' 53" West (the North line of said Section 27 bears South 88 degrees 18' 09" East, as shown on Sunshine State Parkway Right-Of-Way maps) along the East line of Section 27, also being the centerline of Drexel Road, a distance of 1326.91 feet; thence, North 88 degrees 11' 11" West, a distance of 40.0 feet to a point on the West Right-Of-Way line (80 foot Right-Of-Way) of Drexel Road and 30.0 feet North of the Northeast

corner of Meadowbrook Mobile Home Park unrecorded. Said point also being the point of beginning of the hereinafter described parcel; thence, continue North 88 degrees 11' 11" West, along a line parallel to and 30.0 feet North of, as measured at right angles to, the North line of said Meadowbrook Mobile Home Park, a distance of 2192.66 feet; thence North 01 degree 48' 49" East, a distance of 342.31 feet; thence, North 88 degrees 11' 11" West, a distance of 220.0 feet to a point on the East Right-Of-Way of the aforementioned Sunshine State Parkway; thence, North 41 degrees 01' 56" East, along said East Right-Of-Way line, a distance of 1150.19 feet to a point 90.0 feet South of, as measured at right angles to, the North line of Section 27 and the Centerline of Okeechobee Boulevard; thence, South 88 degrees 18' 09" East, parallel to the Centerline of Okeechobee Boulevard, a distance of 534.02 feet; thence, North 88 degrees 50' 06" East, a distance of 300.37 feet to a point 75.0 feet South of as measured at right angles to, the Centerline of Okeechobee Boulevard; thence, South 88 degrees 18' 09" East, parallel to the Centerline of Okeechobee Boulevard, a distance of 253.36 feet; thence, South 01 degree 52' 53" West, along a line parallel to the East line of Section 27, a distance of 891.20 feet; thence, South 88 degrees 18' 09" East, a distance of 600 feet to a point on the West Right-Of-Way line of Drexel Road; thence South 01 degree 52' 53" West, along said West Right-Of-Way, a distance of 360.71 feet to the point of beginning. LESS and excepting the following described parcels of land: A parcel of land lying along Okeechobee Boulevard in the Northeast Corner of the above-described parcel, having an East line of 515 feet, a South line of 620 feet, a West line of 500 feet, and a North line of 620.38 feet. A certain parcel of land lying in the Northeast 1/4 of Section 27, Township 43 South, Range 42 East, commencing at the Northeast Corner of said Section 27, run South 01 degree 52' 53" West (the North line of said Section 27 Bears South 88 degrees 18' 09" East, as shown on Sunshine Parkway Right-Of-Way Maps) along the East line of Section 27, also being the Centerline of Drexel Road, a distance of 1326.91 feet; thence, North 88 degrees 11' 11" West, a distance of 40.00 feet to a point on the West Right-Of-Way line (80-foot Right-Of-Way) of Drexel Road and 30.00 feet North of the Northeast corner of Meadowbrook Mobile Home Park, unrecorded. Said point also being the point of beginning of the hereinafter described parcel; thence, continue North 88 degrees 11' 11" West, along a line parallel to and 30.00 feet North of, as measured at right angles to, the North line of said Meadowbrook Mobile Home Park, a distance of 898.53 feet; thence, North 01 degree 52' 53" East, a distance of 735.09 feet; thence South 88 degrees 18' 09" East, a distance of 298.53 feet; thence, South 01 degree 52' 53" West a distance of 376.20 feet; thence, south 88 degrees 18' 09" East, a distance of 600 feet to a point on the Westerly Right-Of-Way line of Drexel Road; thence, South 01 degree 52' 53" West, along said West Right-Of-Way, a distance of 360.71 feet to the Point of Beginning, located on the southeast corner of the intersection of Okeechobee Boulevard (SR 704) and Florida's Turnpike (Sunshine State Parkway), in a RM-Multiple Family

Residential Zoning District (Medium Density), was approved as advertised, subject to the following conditions:

1. The developer shall comply with all previous conditions of approval unless expressly modified herein.
2. Condition No. 1a of Zoning Petition 80-139 (R-80-1113) which states:

"The petitioner shall construct Okeechobee Boulevard to a 4 lane median divided section from the existing 4 lane section to the project's west property line as approved by the County Engineer."

is hereby deleted.

3. Condition No. 2a of Zoning Petition No. 80-139 (R-80-1113) which states:

"The petitioner shall construct at the intersection of Okeechobee Boulevard and the project's entrance road:
(i) dual left turn lanes, north approach
(ii) right turn lane, east approach
(iii) right turn lane, west approach."

is hereby amended to read as follows:

"The petitioner shall construct at the intersection of Okeechobee Boulevard and the project's entrance road:
(i) (deleted)
(ii) right turn lane, east approach
(iii) right turn lane, west approach."

4. Condition No. 4 of Zoning Petition No. 80-139 (R-80-1113) which states:

"Petitioner shall install signalization at the intersection of Okeechobee and Drexel Road when warranted as determined by the County Engineer."

is hereby deleted.

5. Condition No. 7a of Zoning Petition No. 80-139 (R-80-1113) which states:

"Petitioner shall contribute Sixty-Four Thousand One Hundred Twenty-Five Dollars (\$64,125.00) or One Hundred Sixty Dollars (\$160.00)/dwelling unit toward the cost of meeting this project's direct and identifiable traffic impact to be paid at the time of issuance of the building permit(s)."

is hereby amended to read as follows:

"Petitioner shall pay the Traffic Impact Fee as it presently exists or as it may from time to time be amended."

6. Condition No. 1 of Zoning Petition No. 80-139 (R-80-1113) which states:

"Petitioner shall construct Okeechobee Boulevard to a four-lane median divided section from the existing four-lane section to the project's west property line, as approved by the County Engineer."

is hereby deleted.

7. Condition No. 2a of Zoning Petition No. 80-139 (R-80-1113) which states:

"Petitioner shall construct at the intersection of Okeechobee Boulevard and the project's entrance:

- a. Dual left turn lanes, north approach."

is hereby deleted.

8. Condition No. 4 of Zoning Petition No. 80-139 (R-80-1113) which states:

"Petitioner shall install a traffic signal at the intersection of Okeechobee Boulevard and Drexel Road, when warranted, as determined by the County Engineer."

is hereby deleted.

9. Condition No. 7 of Zoning Petition No. 80-139 (R-80-1113) which states:

"Petitioner shall contribute Sixty-four Thousand One Hundred Twenty-five Dollars (\$64,125.00) or One Hundred Sixty Dollars (\$160.00/dwelling unit toward the cost of meeting this project's direct and identifiable traffic impact to be paid at the time of issuance of the building permit(s)."

is hereby amended to state the following:

"Petitioner shall contribute the Traffic Impact Fee as it presently exists or as it may from time to time be amended."

10. Condition No. 9 of Zoning Petition No. 80-139 (R-80-1113) which states:

"Petitioner shall enter into a formal contract with the School Board of Palm Beach County to contribute four-tenths(4/10) of one percent (1%) of the selling price of each residential dwelling unit in this planned unit development on a one time initial sales basis. However, if an ordinance dealing with this subject matter is adopted, this condition will be superseded by that ordinance; except that regardless of the form or status of any ordinance, this development shall be required to provide as a minimum the above 4/10ths of 1% of the initial sales price toward alleviating some of the development's school impact."

is hereby deleted.

Commissioner Marcus, moved for approval of the petition. The motion was seconded by Commissioner Elmquist, and upon being put to a vote, the vote was as follows:

Carol A. Roberts	--	Absent
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Aye
Kenneth M. Adams	--	Aye

The foregoing resolution was declared duly passed and adopted this 9th day of August, 1988 confirming action of July 23, 1987.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY:


COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


DEPUTY CLERK

