

RESOLUTION NO. R-73- 731

RESOLUTION APPROVING ZONING PETITION

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, and Chapter 70-863, Laws of Florida, Special Acts of 1970, 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. 73-142 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 25 October 1973.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 25th day of October, 1973, that petition No. 73-142, the petition of BURNING FOOT LIMITED by Francis T. Ryan, Master General Partner, for the REZONING, FROM AG-AGRICULTURAL DISTRICT IN PART AND RH-RESIDENTIAL MULTIPLE FAMILY DISTRICT (HIGH DENSITY) IN PART TO RM-RESIDENTIAL MULTIPLE FAMILY DISTRICT (MEDIUM DENSITY) AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on Government Lots 6 and 7, and the West 1/2 of the Southwest 1/4 of Section 6, and Government Lots 2 and 3, and the East 1/2 of the Northwest 1/4 of Section 7, in Township 41 South, Range 43 East; also the lands lying between the aforesaid Government Lots in Sections 6 and 7 and the West right-of-way line of the Intracoastal Waterway conveyed by the Internal Improvement Fund of the State of Florida by deed dated January 7, 1948, as recorded in Deed Book 833, page

494, Palm Beach County Public Records; also, Government Lot 4, and the West 1/2 of the Northwest 1/4 and the North 1/2 of the Southwest 1/4 of Section 7, Township 41 South, Range 43 East. Said property located at the southeast corner of S.R. A-1-A and Indiantown Road (S.R. 706), was approved as advertised subject to the following special conditions:

- (1) Prior to the dredging of the marina the appropriate approvals shall be obtained from all required governmental agencies;
- (2) The North Peninsula (38 acres) and abutting property will be deeded for a Metropolitan Park in perpetuity and the reasonable use of said park, by the public, shall be worked out between the Palm Beach County Planning, Zoning and Building Department and the developer after approval of the Final Master Land Use Plan and prior to the filing of the first plat;
- (3) Developer shall maintain a one hundred (100) foot setback from the Intracoastal Waterway on the South Peninsula;
- (4) Developer shall preserve the specimen trees when developing the South Peninsula;
- (5) Drainage Plan to be submitted and approved by the applicable governmental agencies for protection of the aquatic preserve;
- (6) Gross density shall not exceed eighty(80) dwelling units per acre;
- (7) Developer shall donate the existing fire station equipment to the Fire District;
- (8) Developer agrees to provide \$635,000.00 toward construction of a four (4) lane urban section of Indiantown Road as approved by the County, Engineering Department, from the Intracoastal Waterway to Alternate A1A and Alternate A1A from the intersection of Indiantown Road south along the west boundary line of the subject property to the terminus of the subject planned unit development property;

- (9) The signalization of the three (3) turnouts as shown on the Preliminary Master Land Use Plan shall be installed at the developer's expense;
- (10) Prior to the issuance of any building permits the developer shall dedicate to Palm Beach County the required **rights-of-way** for Alternate A-1-A and Indiantown Road;
- (11) All water body areas in the project shall be maintained by the homeowners or condominium association;
- (12) Relocation of all persons presently residing on the subject site shall be at the developer's expense.

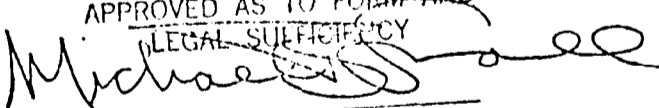
The foregoing resolution was offered by Commissioner Culpepper , who moved its adoption. The motion was seconded by Commissioner Warren , and upon being put to a vote, the vote was as follows:

Lake Lytal	Aye
E. W. Weaver	Aye
Robert C. Johnson	Aye
George V. Warren	Aye
Robert F. Culpepper	Aye

The Chairman thereupon declared the resolution duly passed and adopted this 6th day of November , 1973, confirming action of October 25, 1973.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, Clerk

APPROVED AS TO FORM AND
 LEGAL SUFFICIENCY

 COUNTY ATTORNEY

By: Mary F. Webster
 Deputy Clerk