

RESOLUTION NO. R-74-699

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. 74-81 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 25 July 1974.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 25th day of July, 1974, that petition No. 74-81, the petition of MAURICE FOX for the REZONING, FROM AGRICULTURAL DISTRICT TO RS-RESIDENTIAL SINGLE FAMILY DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on Sections 12, 13 and the East 3/4 of Section 24, Township 43 South, Range 41 East. Said property located on the west side of State Road No. 7 (U.S. 441) approximately 1.7 miles north of Southern Boulevard (S.R. 80), was approved as advertised, subject to the following special conditions:

SEE ATTACHED CONDITION NOS. 1, 2 and 3

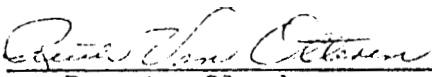
The foregoing resolution was offered by Commissioner Weaver, who moved its adoption. The motion was seconded by Commissioner Warren, and upon being put to a vote, the vote was as follows:

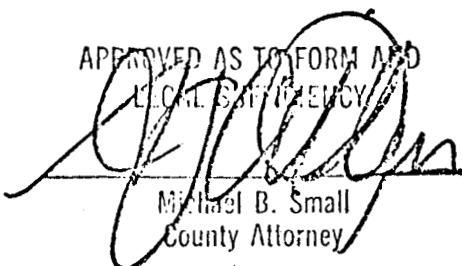
Robert F. Culpepper - No  
Lake Lytal - Yes  
E. W. Weaver - Yes  
Robert C. Johnson - Yes  
George V. Warren - Yes

The Chairman thereupon declared the resolution duly passed and adopted this 3rd day of September, 1974, confirming action of 25 July 1974.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By   
Deputy Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY  
  
Michael B. Small  
County Attorney

FOX P.U.D CONDITION NO. 1

WASTEWATER TREATMENT

1. The Applicant will comply with all County requirements for an interim secondary sewage treatment plant to be owned and operated by the County and abandoned when the regional system becomes available.
2. The Applicant reserves the right to request permission from the Environmental Protection Agency, the Department of Pollution Control, and the County Commission to form a tax benefit district to build and operate a permanent advanced waste water treatment facility, all subject to the provision that federal funding of the regional system will not be adversely affected. The tax benefit district will be responsible for the operation of the facility and compliance with all applicable laws, rules and regulations. However, to insure protection of human health and welfare and as a condition of approval by the County Commission, the Applicant agrees that the tax benefit district will establish and maintain an adequate fund under the control of the County Commission to pay for emergency construction or repairs which the Commission determines to be necessary.

CONDITION NUMBER **2** (POPULATION CAP)

Submitted to the Board of Commissioners of  
Palm Beach County as a condition of the  
Planned Unit Development of the Fox Property

It having been represented to the Board of Commissioners of Palm Beach County, (hereafter "Commissioners"), and to all other public agencies involved, that the **Planned** Unit Development of the Fox Property, (hereafter "P.U.D."), is to be accomplished by marketing of not more than 10,004 condominium dwelling units, (hereafter "units"), to older adults, upon the understanding that the resident population **will** not exceed 18,416 upon completion of the units and that children under 18 will be excluded as unit residents, all in order to maintain quiet, foster the security and comfort of adult residents and promote a superior residential environment;

NOW, THEREFORE, approval of the P.U.D. for 10,004 units by the Commissioners, (hereafter "approval"), shall be conditioned as follows:

1. Condominium Declarations shall be filed under the Florida Condominium Act with respect to each area for which a plat is filed, (hereafter "platted area"), which Declarations shall prohibit the use or occupancy of any units, produced under the approval, by children under 18 years of age, except **for** reasonable and limited visits to adult residents of the units.

2. Promptly after building permits have been issued for an aggregate of 7,083 units, an intermediate census shall be taken by independent consultants, approved by the Commissioners. The census shall determine the number of owner residents per unit which they occupy, (hereafter "population ratio"). Subsequent applications for unit building permits shall be limited to a number which will not achieve a population in excess of 18,416, according to the extension of the population ratio based upon the intermediate census.

After all such permits have been issued, a final census shall be taken and the final population ratio shall be determined by the independent consultants. Fox shall apply for only such additional unit building permits as will bring the population to not more than 18,416, according to the extension of the final population ratio. No further applications for unit building permits shall be made. Fox shall pay the costs of each census. Until the final census, the P.U.D. section of the Palm Beach County Zoning Ordinance shall be applied upon the basis of 10,004 units.

3. Fox shall execute and record covenants, (hereafter "covenant"), substantially as follows:

(a) The units produced under the approval shall not exceed the number which will achieve a population of 18,416 according to the extension of the final population ratio, but not more than 10,004 units in any case;

(b) With respect to each platted area, there shall be a separate covenant that units produced thereon under the approval shall not be used or occupied by children under 18 years of age, except for reasonable and limited visits to adult residents of the units;

(c) All transfers of any interest in the P.U.D., or in any platted area, or in any unit shall reiterate the applicable covenants.

4. The covenants and their burdens shall run with the land to which the applicable covenants refer and to all units thereon and shall become an equitable servitude upon all such property. The benefits of the covenants shall attach and extend to all property within the P.U.D., to all property in Palm Beach County and to the Commissioners, for the fulfillment of the above stated aims of the P.U.D.

5. The references to Fox include any successor owner of the Fox property.

# KIMLEY - HORN and ASSOCIATES, INC.

ENGINEERS and PLANNERS  
PLANNING, DESIGN and OPERATIONS

1252 OLD OKLECHOBEE ROAD • WEST PALM BEACH, FLORIDA 33401  
PHONE (305) 832-8106

RALEIGH  
WEST PALM BEACH  
NASHVILLE

June 25, 1974

Mr. Maurice Fox  
424 Twin Oak  
South Orange, New Jersey 07079

Dear Mr. Fox:

As you have requested, we have tabulated those roadway improvements both within and adjacent to the Fox Project which it is our understanding that you will provide. Two tables are attached summarizing these improvements by phase. Table one is predicated upon the implementation of the State Road 7 extension by the Florida Department of Transportation. Improvements to be provided in the event that this project is not implemented are described in Table two. Figures depicting the adjacent roadway needs by phase are also provided. Unless otherwise indicated, all internal roads will be constructed with two lanes as needed. We understand that you may also, at your discretion, provide some four lane sections.

If you should have any questions, please do not hesitate to contact us.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

*Harold D. Vick*

Harold D. Vick, P.E.  
Vice President

HDV/SGG/bc

enclosures

TABLE 1

Table of Improvements by Phase  
(With SR 7 extension)

Phase	Location	Improvement
I	Southern development entrance on SR 7	Left and right turn lanes west approach; left turn lane south approach
I	Development entrances on Okeechobee Blvd.	Left turn lanes on Okeechobee Boulevard
I	Intersection of Okeechobee Blvd. and SR 7	One left turn lane on each approach
II	Center development entrance on SR 7	Left and right turn lanes west approach; left turn lane south approach
II	Intersection of Okeechobee Blvd. and SR 7	Right turn lanes on south and east approaches
III	Intersection of Okeechobee Blvd. and SR 7	Right turn lane on west approach
IV	Northern development entrance on SR 7	Left and right turn lanes west approach; left turn lane south approach
IV	SR 7 between Okeechobee Blvd. and Southern development entrance	Add third lane to proposed two lane section thus providing for a double left turn movement at the intersection of SR 7 and Okeechobee Blvd.
**	Okeechobee Blvd. from not more than 500 feet east of SR 7 to western development entrance	Provide four lane divided roadway with necessary transition to existing two lane roadway

TABLE 1

page two

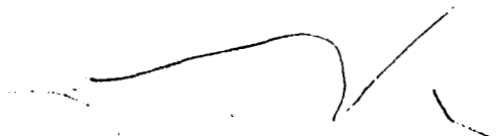
Signalization to be provided at development entrances and the intersection of Okeechobee Boulevard and SR 7 if and when actual traffic volumes meet signal warrants.

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\* Improvements to be provided prior to occupancy of phase indicated.

\*\*Improvement to be provided although four laning of this roadway section is not required by existing plus estimated Fox Property traffic.

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TACLE 2

Table of Improvements by Phase  
(Without the SR 7 extension)

Phase*	Location	Improvement
I	Okeechobee Blvd. and Western development collector	Left turn lane on the east, west and north approaches
I	Okeechobee Blvd. and eastern development collector	Left turn lane on east, west and north approaches
I	Intersection of Okeechobee Blvd. and SR 7	Left turn lane on east and south approaches
II	Intersection of Okeechobee Blvd. and western development collector	Right turn lane on east approach
II	Intersection of Okeechobee Blvd. and eastern development entrance	Right; turn lane on east approach
III	Okeechobee Blvd. from not more than 500 feet east of SR 7 to the western development entrance	Provide four lane divided roadway with necessary transition to existing two lane roadway
III	Western development collector from Okeechobee Blvd. north to 2nd east-west internal collector	Provide four lane divided roadway
III	Intersection of Okeechobee Blvd. and western development entrance	Double left turn lanes on north approach to be provided in conjunction with four laning of western development collector
III	Eastern development collector north from Okeechobee Blvd. to 4th east-west internal collector	Provide four lane divided roadway

Table 2 Continued  
 Table of Improvements by Phase  
 (Without the SR 7 extension)

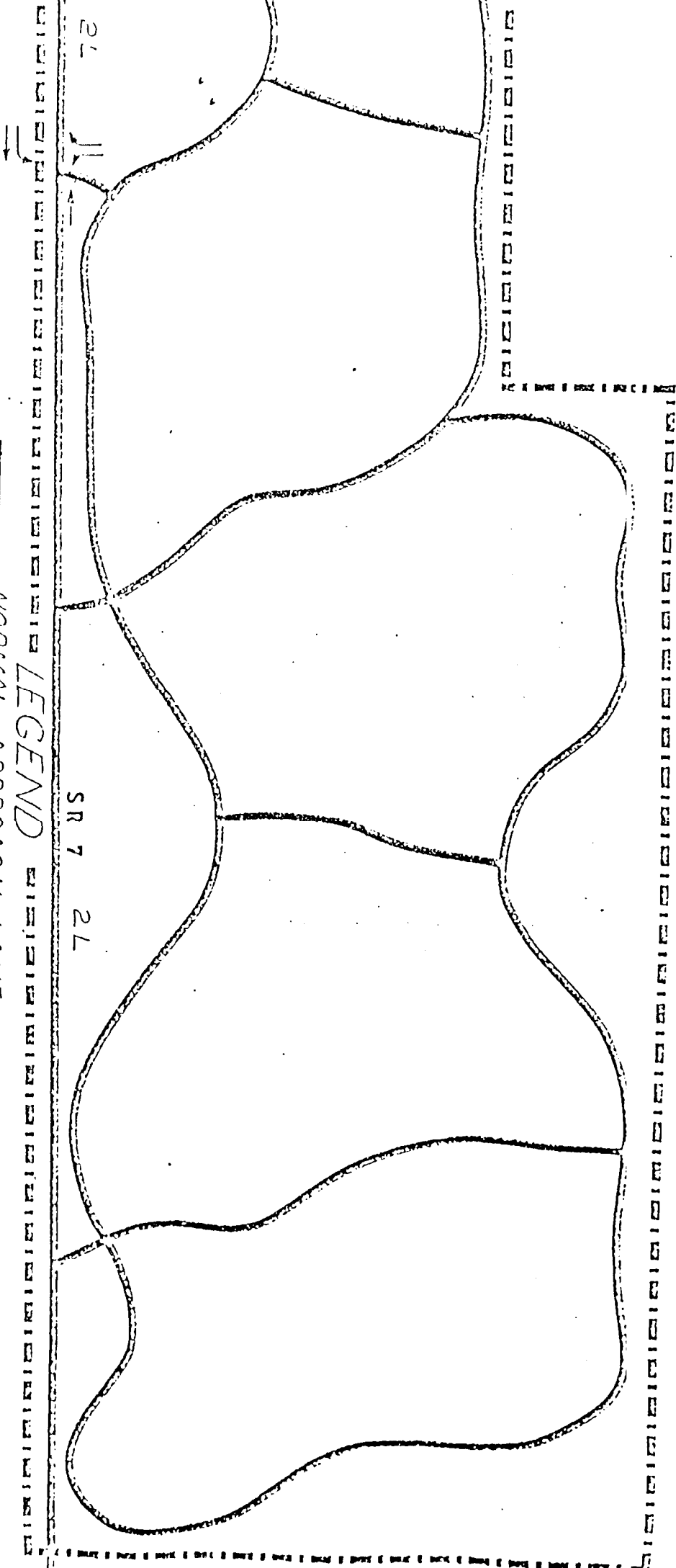
Phase	Location	Improvement
III	Okeechobee Blvd. and eastern development collector	Double left turn lanes on north approach to be provided in conjunction with four laning of eastern development collector. Additional through lanes to be provided in conjunction with four laning of Okeechobee Blvd. adjacent to the Fox Property as discussed above.
III	Intersection of Okeechobee Blvd. and SR 7	Additional left turn lane on the south approach and necessary transition to accommodate the double left turn from this approach; additional through lane on the east and west approaches to be provided in conjunction with the four laning of Okeechobee Blvd. adjacent to the Fox Property as discussed above.

Signalization to be provided at development entrances and the intersection of Okeechobee Boulevard and SR 7 if and when actual traffic volumes meet signal warrants.

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\*Improvements to be provided prior to occupancy of phase indicated.

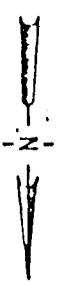
OKEECHOBEE BLVD. 2L



- LEGEND
- NORMAL APPROACH LANE
  - └ RIGHT TURN LANE
  - └ LEFT TURN LANE
  - 2L NUMBER OF THROUGH LANES

ROADWAY IMPROVEMENTS TO BE PROVIDED PRIOR TO OCCUPANCY OF PHASE I

NOT TO SCALE

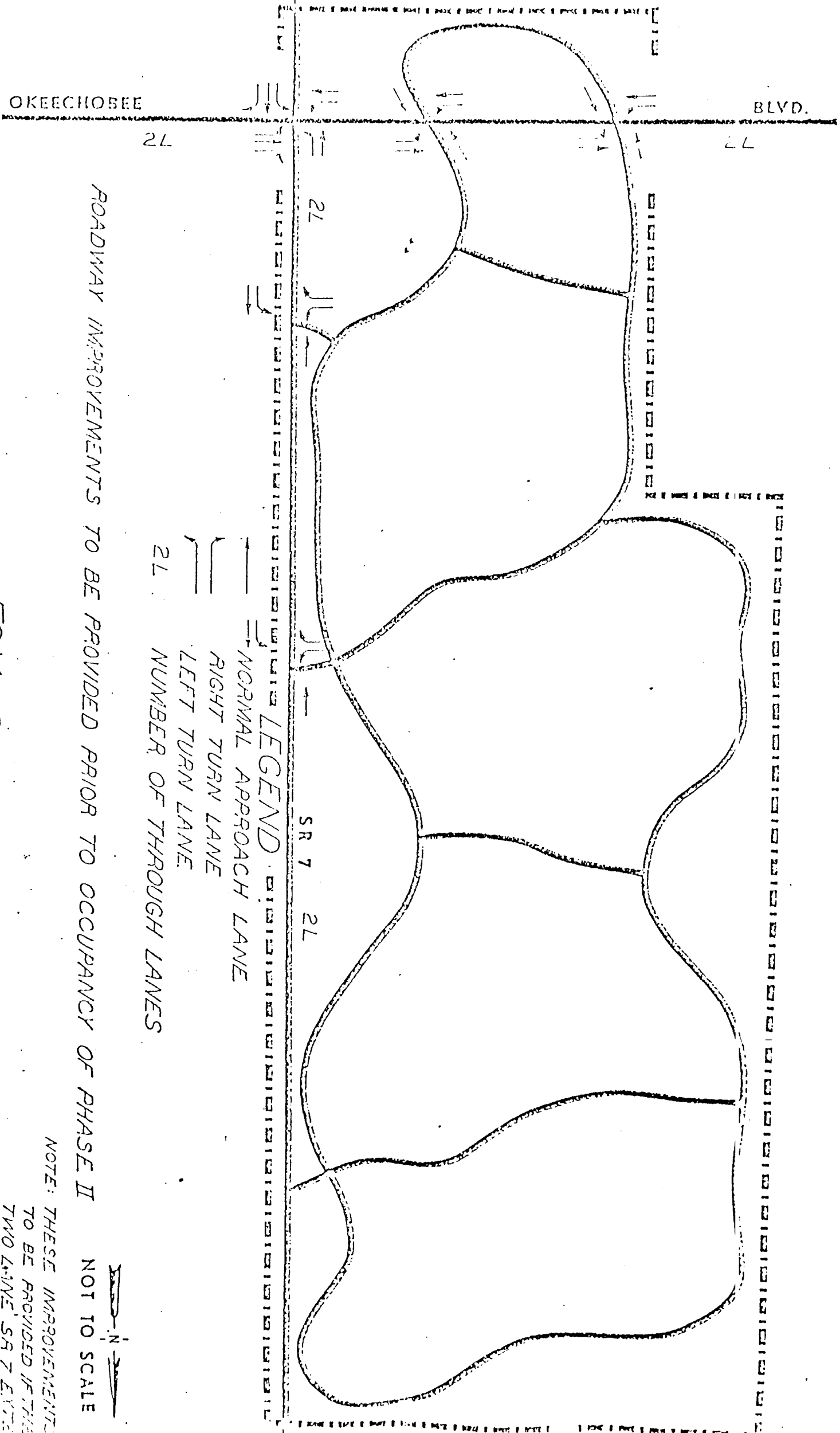


NOTE: THESE IMPROVEMENTS TO BE PROVIDED IF THE

TWO LANE SR 7 EXTENSION IS CONSTRUCTED

BY THE FDOT.

FOX P.U.D.



ROADWAY IMPROVEMENTS TO BE PROVIDED PRIOR TO OCCUPANCY OF PHASE II NOT TO SCALE

- LEGEND
- NORMAL APPROACH LANE
  - RIGHT TURN LANE
  - LEFT TURN LANE
  - 2L NUMBER OF THROUGH LANES

NOTE: THESE IMPROVEMENTS TO BE PROVIDED IF THE TWO LANE SR 7 ENTERSION IS CONSTRUCTED BY THE F.D.O.T.

FOX P.U.D.

OKEECHOBEE

BLVD.

2L

2L

2L

SR 7

2L

LEGEND

- NORMAL APPROACH LANE
- RIGHT TURN LANE
- LEFT TURN LANE
- 2L NUMBER OF THROUGH LANES

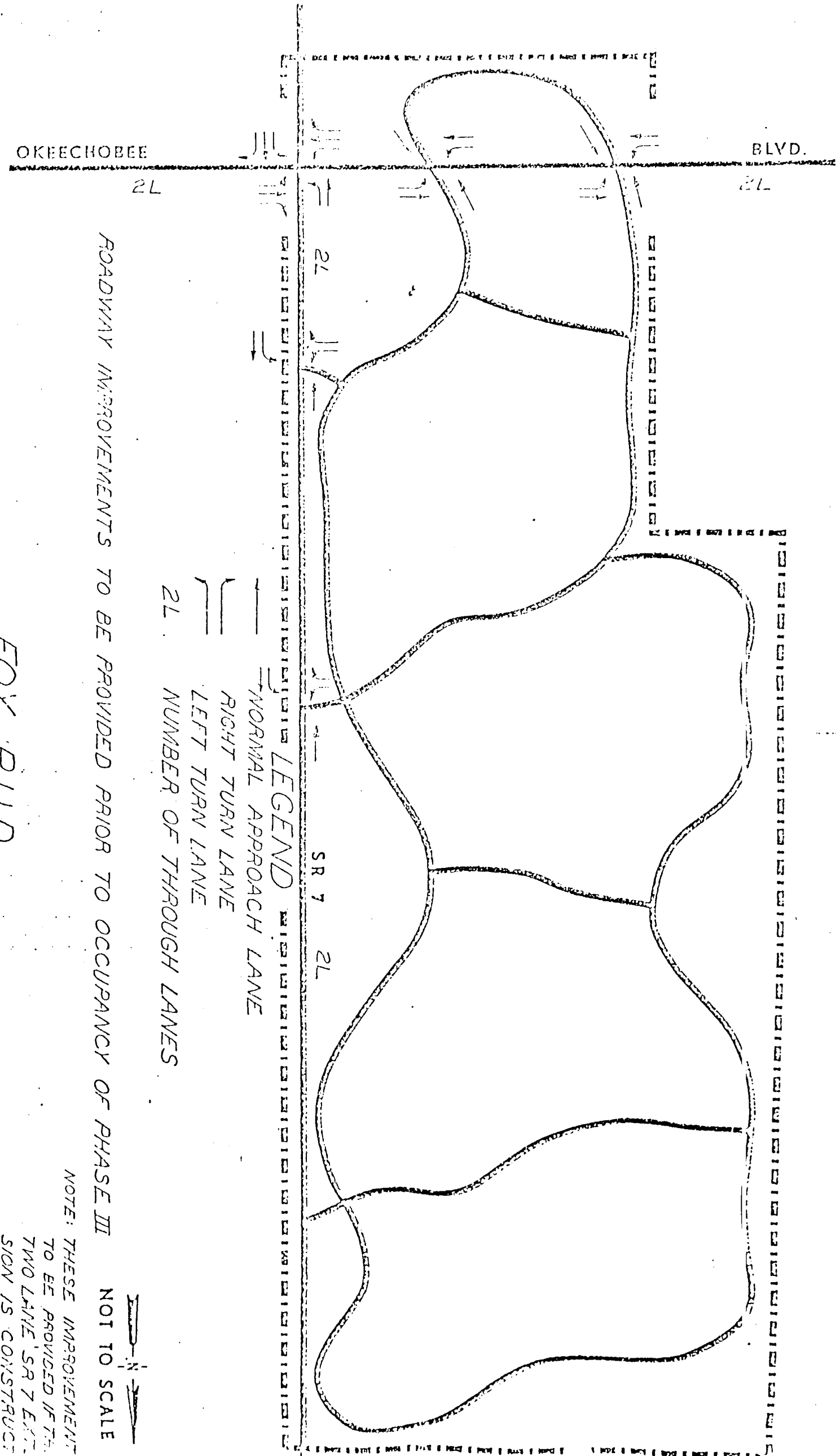
ROADWAY IMPROVEMENTS TO BE PROVIDED PRIOR TO OCCUPANCY OF PHASE III

NOT TO SCALE

NOTE: THESE IMPROVEMENTS TO BE PROVIDED IF THE TWO LANE SR 7 EXTENSION IS CONSTRUCTED BY THE F.O.T.

FOX P.U.D.

NOTE: THESE IMPROVEMENTS TO BE PROVIDED IF THE TWO LANE SR 7 EXTENSION IS CONSTRUCTED BY THE F.O.T.



OKEECHOBEE

BLVD.

FOUR LANE SECTION TO BE PROVIDED  
NOT MORE THAN 500 FEET EAST OF  
S.R. 7. TRANSITION TO EXISTING TWO  
LANE SECTION TO BE COMPLETED  
WITHIN 1000 FEET OF S.R. 7.

ROADWAY IMPROVEMENTS TO BE MADE PRIOR TO OCCUPANCY OF PHASE II

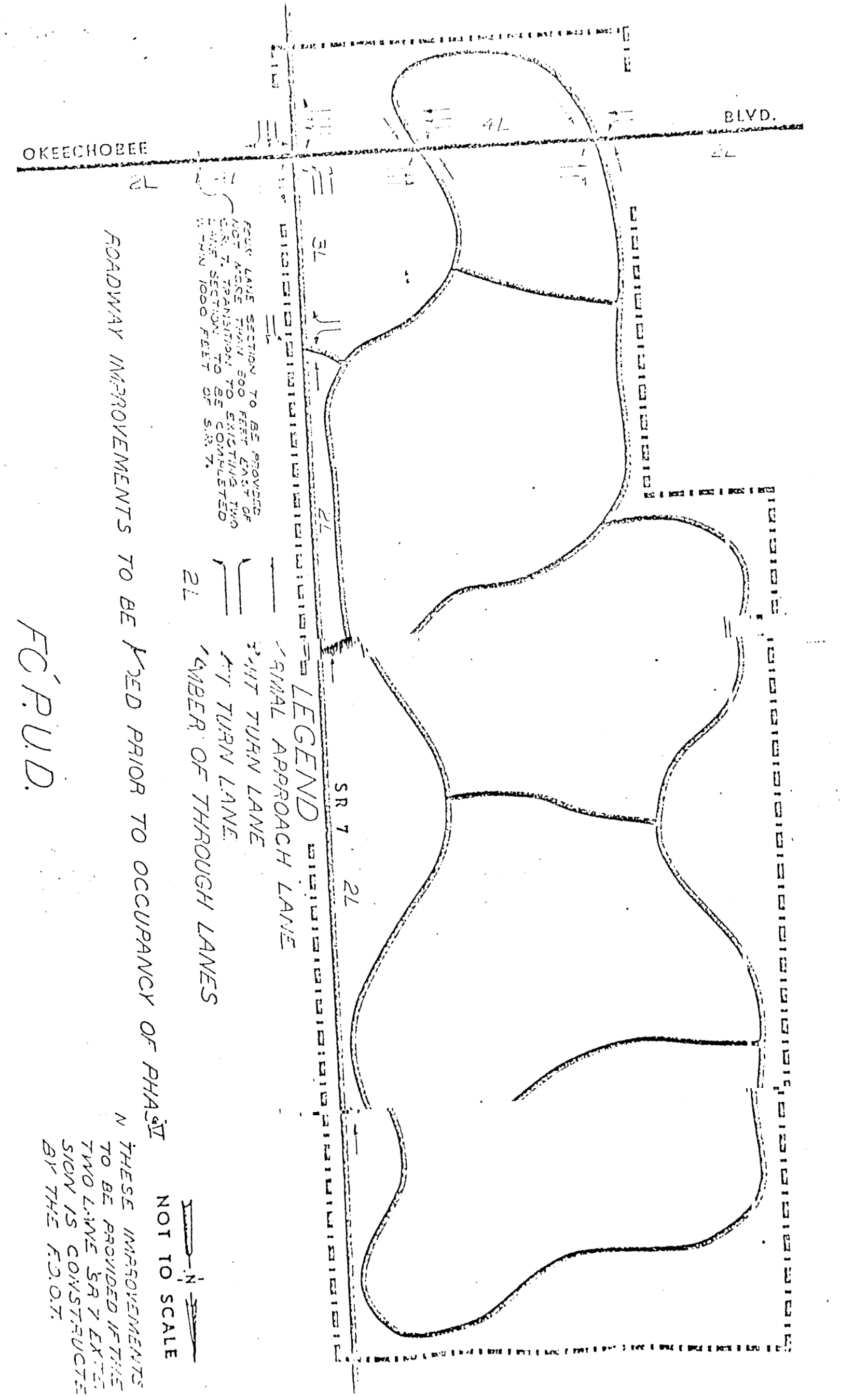
- 2L 1/4MILE APPROACH LANE
- 2L 1/4MILE TURN LANE
- 2L 1/4MILE TURN LANE
- 2L 1/4MILE OF THROUGH LANES

LEGEND

NOT TO SCALE

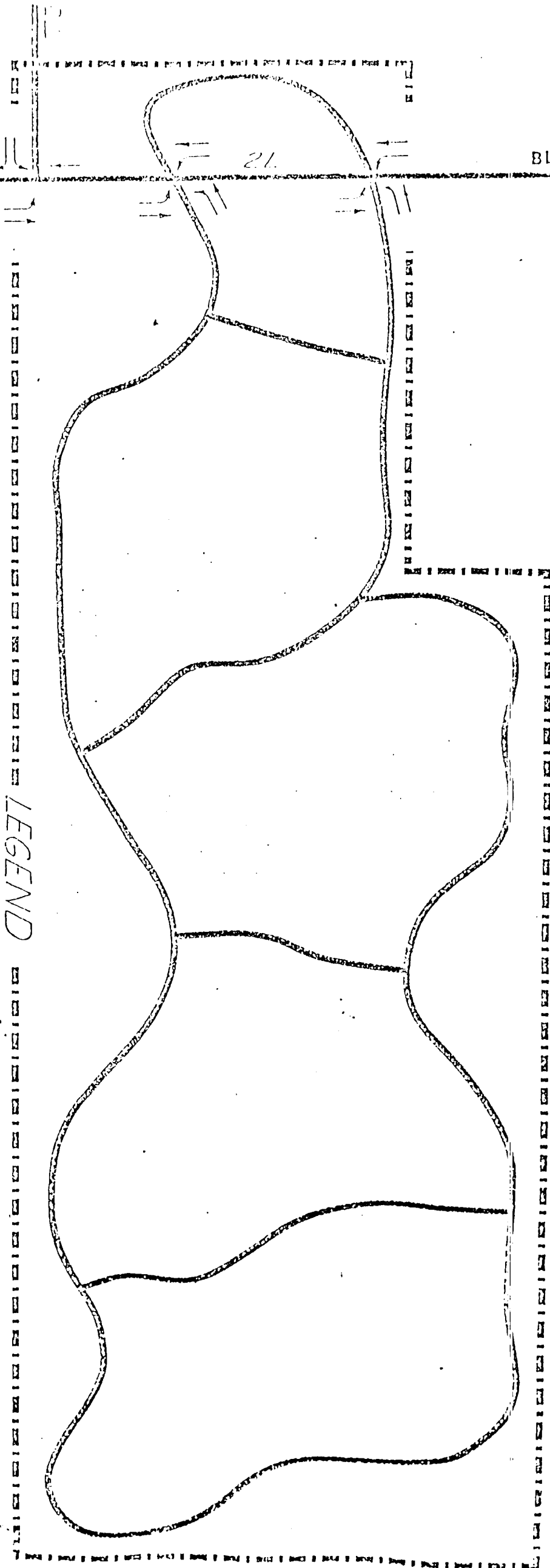
THESE IMPROVEMENTS  
TO BE PROVIDED IF THE  
TWO LANE S.R. 7 EXTENSION  
IS CONSTRUCTED BY THE F.D.O.T.

FC'R.U.D.



OKEECHOBEE 21

BLVD.



LEGEND

- NORMAL APPROACH LANE
- RIGHT TURN LANE
- LEFT TURN LANE
- 21 NUMBER OF TURN LANES

ROADWAY IMPROVEMENTS TO BE PROVIDED PRIOR TO OCCUPANCY OF PHASE I

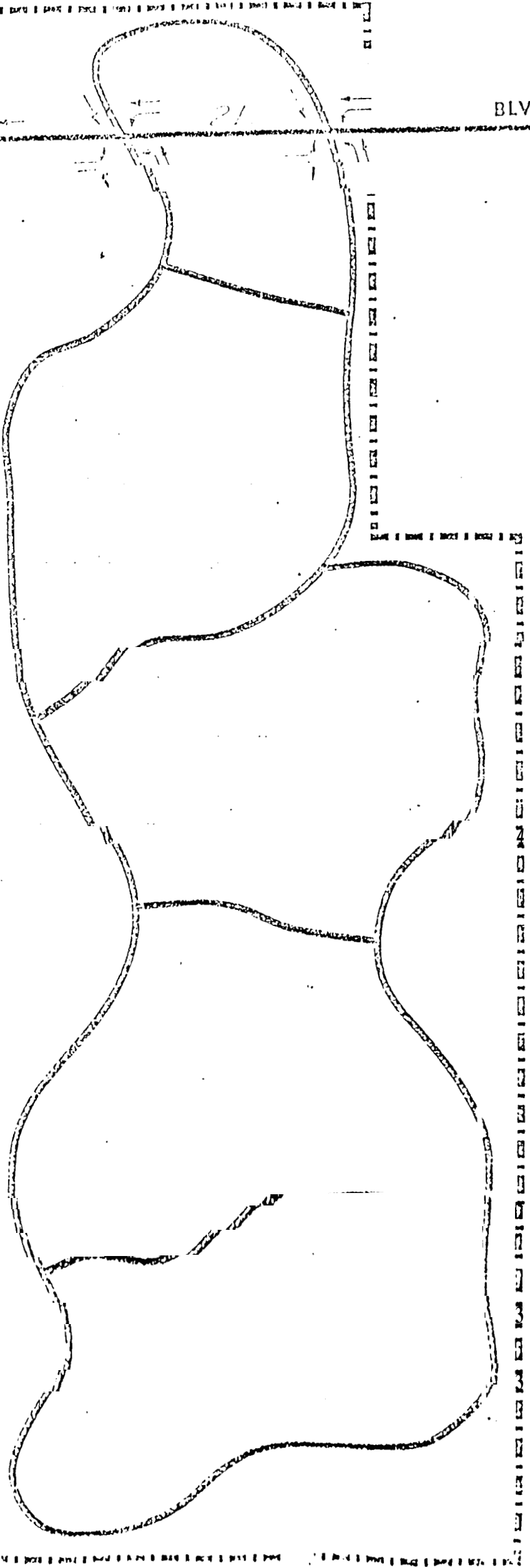
NOT TO SCALE

NOTE: THESE IMPROVEMENTS TO BE PROVIDED IF SR 7 EXTENSION IS NOT CONSTRUCTED

FOX P.U.D.

OKEECHOBEE

BLVD.



LEGEND

- NORMAL APPROACH LANE
- == RIGHT TURN LANE
- LEFT TURN LANE
- - - - - NUMBERED TURN LANES

ROADWAY IMPROVEMENTS TO BE PROVIDED FROM TO OCCUPANCY OF PHASE I

NOT TO SCALE

FOX P.U.D.

FOR THE PERSONS WHOSE  
 TIME AND EXPENSE IS  
 NOT TO BE CONSIDERED  
 IN THE CONSTRUCTION OF  
 THIS ROADWAY



OKEECHOBEE 21 4121 21 BLVD.

THREE LANE SECTION TO BE PROVIDED TO BE PROVIDED TO ACCOMMODATE DOUBLE LEFT TURN TRANSITION TO EXISTING TWO LANES TO BE COMPLETED WITHIN 700 FEET OF OKEECHOBEE BLVD.

FOUR LANE SECTION TO BE PROVIDED NOT MORE THAN 500 FEET EAST OF S.R. 7 TRANSITION TO EXISTING TWO LANE SECTION TO BE COMPLETED WITHIN 1000 FEET OF S.R. 7.

LEGEND

- MEDIAN APPROACH LANE
- RIGHT TURN LANE
- LEFT TURN LANE
- 4L NUMBER OF TURN LANES

ROADWAY IMPROVEMENTS TO BE PROVIDED PRIOR TO OCCUPANCY OF PHASE III

NOT TO SCALE

NOTE: THESE IMPROVEMENTS TO BE PROVIDED IF S.R. 7 EXTENSION IS NOT CONSTRUCTED

F.U. I.D.

