

RESOLUTION NO. R-78-1280

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, 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. 78-221 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 25 September 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 25<sup>th</sup> day of September, 1978, that petition No. 78-221 the petition of SOUTHEAST BANKS TRUST COMPANY, N.A., by William R. Boose, 111, Agent, for the REZONING, FROM AG-AGRICULTURAL DISTRICT TO RS-RESIDENTIAL SINGLE FAMILY DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on a parcel of land being a portion of Tracts 97 through 100, inclusive, a portion of Tract 128, and all of Tracts 125 through 127, inclusive.; Block 77, Palm Beach Farms Company Plat No. 3, in Section 18, 19, Township 47 South, Range 42 East, as recorded in Plat Book 2, pages 45 through 54, inclusive, being more particularly described as follows: From a railroad spike marking the intersection of the centerline of State Road No. 808 (a proposed 160 foot road right-of-way) with the East line of said Block 77, bear South along said East line, a distance of 53.00 feet to the existing Southerly right-of-way line of said State Road No. 808; thence, bear West along said line, a distance of 57.00 feet for a Point of Beginning; thence, South along the Westerly right-of-way line of Lyon's Road (a 111 foot

road right-of-way), a distance of 27.00 feet; thence, West along a line parallel with and distant 80 feet Southerly of, as measured at right angles to the centerline of said State Road No. 808, a distance of 96.00 feet; thence, South along a line parallel with and distant 96 feet Westerly of, as measured at right angles to the Westerly right-of-way line of said Lyon's Road, a distance of 65.00 feet; thence, East parallel with the centerline of said State Road No. 808, a distance of 96.00 feet to the Westerly right-of-way line of said Lyon's Road; thence, South along the Westerly right-of-way line of said Lyon's Road, a distance of 135.00 feet to the Point of Curvature of a curve to the right, having a radius of 1380.64 feet; thence, Southwesterly along the arc of said curve, continuing along said Westerly right-of-way line, through a central angle of  $7^{\circ}33'40''$ , a distance of 182.20 feet to the Point of Reverse Curvature of a curve to the left, having a radius of 1494.64 feet; thence, Southwesterly along the arc of said curve, continuing along said Westerly right-of-way line, through a central angle of  $7^{\circ}33'40''$ , a distance of 197.24 feet to the Point of Tangency; thence, South continuing along said Westerly right-of-way line, a distance of 378.34 feet to the Point of Curvature of a curve to the left, having a radius of 1494.64 feet; thence, Southeasterly along the arc of said curve, continuing along said Westerly right-of-way line, through a central angle of  $7^{\circ}33'40''$ , a distance of 197.24 feet to the Point of Reverse Curvature of a curve to the right, having a radius of 1380.64 feet; thence, Southeasterly along the arc of said curve, continuing along said Westerly right-of-way line, through a central angle of  $4^{\circ}14'22''$ , a distance of 102.15 feet to the South line of said Tract 128, Block 77, Palm Beach Farms Company Plat No. 3 and the end of said curve; thence, West along the South line of said Tracts 125 through 128, inclusive, Block 77, (and along the Northerly right-of-way line of Lake Worth Drainage District Lateral Canal L-46), a distance of 1285.68 feet to the Southwest corner of said Tract 125; thence, North along the West line of said Tract 125 and along the West line of said Tract 100, Block 77, a distance of 1282.00

feet to the existing Southerly right-of-way line of said State Road No. 808; thence, East along said line, a distance of 1288.00 feet to the Point of Beginning. Said property located on the south side of Glades Road (S.R. 808) approximately .7 mile east of S.R. 7 (U.S. 441), was approved as advertised subject to the following conditions:

1. Within ninety (90) days of the Special Exception approval, petitioner shall convey to Palm Beach County eighty (80) feet from the centerline of Glades Road for the ultimate right-of-way.
2. Petitioner shall construct a left turn lane, south approach, on Lyons Road at the development's entrance.
3. Petitioner shall construct a right and left turn lane, west approach, at the development's entrance,
4. Petitioner shall redesign the common entrance road with the Boca Beau Monde Plaza to meet the minimum requirements of the County Engineer.
5. Petitioner shall contribute twenty-four thousand dollars (\$24,000.00) (\$200.00 per dwelling unit) toward the cost of meeting this project's direct and identifiable traffic impact, to be paid on a per unit basis at the time of issuance of a building permit(s). 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 twenty-four thousand dollars (\$24,000.00) toward alleviating some of its traffic impacts.
6. Petitioner shall enter into a formal written contract with the Palm Beach County School Board to contribute four-tenths (4/10) of one percent (1% of the selling price of each residential unit 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 its school impacts.
7. The maximum density of the subject development shall not exceed 4.5 dwelling units per acre.
8. Petitioner shall landscape the perimeter buffer surrounding the subject development as depicted on the Master Plan, Exhibit No. 14, on file in the office of the Director, Department of Planning, Zoning E Building.

