

RESOLUTION NO. R-78-1284

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, 78-225 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 25th day of September, 1978, that petition No. 78-225 the petition of SHIRLEY and DANIEL RUBIN by William R. Boose, III, Attorney, for the REZONING, FROM AG-AGRICULTURAL DISTRICT TO RS-RESIDENTIAL SINGLE FAMILY DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT INCLUDING AN EXISTING RECREATIONAL FACILITY AND CLUB INCLUDING TENNIS COURTS, CLUBHOUSE AND GOLF COURSE on a parcel of land in Section 13, Township 45 South, Range 42 East more particularly described as follows: The North 1/2 of the Southwest 1/4, together with the East 1/2 of the Southwest 1/4 of the Northwest 1/4, less those portions thereof lying West and North of the right-of-way of State Road 809 (Military Trail); together with the West 1/2 of the Southeast 1/4 of the Northwest 1/4, less the West 160 feet of the North 272.25 feet thereof, together with an easement 60 feet in width for road and utility purposes, more particularly described as the East 30 feet of the West 1/2 of the Northwest 1/4 of the Southeast 1/4 of

the Northwest 1/4 and the West 30 feet of the East 1/2 of the Northwest 1/4 of the Southeast 1/4 of the Northwest 1/4. Said property located on the east side of Military Trail (S.R. 809) being bounded on the north side by Old Military Trail and on the south by N.W. 22nd Avenue, 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 sixty (60) feet from the centerline of Military Trail for the ultimate right-of-way.
2. Within ninety (90) days of the Special Exception approval, petitioner shall convey to Palm Beach County fifty-four (54) feet from the centerline of N.W. 22nd Avenue for the ultimate right-of-way.
3. Petitioner shall realign White Feather Boulevard to align with Le Chalet Boulevard in accordance with plans and specifications to be approved by the County Engineer.
4. Petitioner shall construct a left turn lane, north approach, on Military Trail at the White Feather intersection.
5. Petitioner shall construct a left turn lane, north approach, at the development's entrance on Military Trail.
6. Petitioner shall construct a left turn, west approach, on N.W. 22nd Avenue when N.W. 22nd Avenue is constructed.
7. Petitioner shall contribute a pro-rata share of the cost of signalization at the intersection of White Feather Boulevard and Military Trail.
8. Petitioner shall:
 - a. Contribute ninety-eight thousand dollars (\$98,000.00) (\$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 ninety-eight thousand dollars (\$98,000.00) toward alleviating some of its traffic impacts; or,
 - b. Construct two (2) lanes on N.W. 22nd Avenue from the development's entrance to Military Trail in lieu of the cash contribution.
9. 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.

