

RESOLUTION NO. R-78- 1290

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, 78-186 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, 78-186 the petition of KINGSPPOINT HOUSING CORP. by Robert M. Schwartz, Attorney, for a SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on the Southeast 1/4 of Section 23, Township 46 South, Range 42 East, less the North 40 and West 70 feet for Canals L-35 and E-3 respectively; less the East 65 feet for right-of-way for Military Trail; less the South 60 feet for right-of-way for Germantown Road, and less Plat No. One Kings Point PUD as recorded in Plat Book 32, page 68. Said property located on the west side of Military Trail (S.R. 809), approximately 2 miles north of Clint Moore Road in an RM-Residential Multiple Family (Medium Density) District, was approved as advertised subject to the following conditions:

1. Petitioner shall signalize the intersection of Military Trail and the entrance roadway when warranted, as determined by the County Engineer.

2. Petitioner shall signalize the intersection of Military Trail and Germantown Road when warranted, as determined by the County Engineer.
3. Petitioner shall construct a four-lane entrance road from Germantown Road.
4. Petitioner shall construct a four-lane entrance road from Military Trail.
5. Petitioner shall construct left and right turn lanes on Kings Circle Drive at intersections with both entrance roads.
6. Petitioner shall construct a left turn lane, south approach, and a right turn lane, north approach, on Military Trail at the intersection of Kings Retreat Drive.
7. Petitioner shall construct a left turn lane, west approach, and a right turn lane, east approach, on Germantown Road at the intersection of Kings Villa Drive.
8. Petitioner shall construct left turn lanes on Military Trail, north and south approaches, at the Germantown Road intersection.
9. Petitioner shall construct a right turn lane lane, west approach, on Germantown Road at the Military Trail intersection.
10. Petitioner shall:
 - a. Contribute one hundred thirty-one thousand eight hundred twenty-four dollars (\$131,824.00) (\$107.00 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 one hundred thirty-one thousand eight hundred twenty-four dollars (\$131,824.00) toward alleviating some of its traffic impacts; or,
 - b. Add two (2) additional lanes and a median on Military Trail between the north and south boundaries of the subject property.
11. Petitioner shall provide a public means of access to the Governmental Service site.
12. Residents of the subject development shall not be given the right of use of the existing or proposed Kings Point recreational facilities in Phases I, II, and III other than that of the public golf courses.

13. The developer of the subject development shall provide as a minimum all recreational facilities as shown on the Master Plan, Exhibit No. 3, on file in the office of the Director, Department of Planning, Zoning E Building, as same were described as being three (3) pool areas, a clubhouse, three (3) shuffleboard courts, and a recreational lake and pavillion. Further, the use of the recreational facilities of the subject development shall be restricted to the residents of the subject development.
14. Petitioner shall enter into a formal written contract with the Palm Beach County School Board to contribute two-tenths (2/10) 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 2/10ths of 1% of the initial sales price toward alleviating some of its school impacts.

Commissioner Lytal, moved for approval of the petition.

The motion was seconded by Commissioner Bailey, and upon being put to a vote, the vote was as follows:

Peggy Evatt, Chairman	-	Yes
Bill Bailey, Vice Chairman	-	Yes
Lake Lytal	-	Yes
William Medlen	-	Absent
Dennis Koehler	-	Absent

The foregoing resolution was declared duly passed and adopted this 10th day of October, 1978, confirming action of 25 September 1978.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: [Signature]
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
County Attorney

