

RESOLUTION NO. R-79-95

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. 78-287 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28 December 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 28th day of December, 1978, that petition No. 78-287 the petition of BREAKWATER HOUSING CORPORATION and GOULD FLORIDA, INC., by Guerry Stribling, President, for the REZONING, FROM AGRICULTURAL DISTRICT TO RE-RESIDENTIAL ESTATE DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT, INCLUDING PRIVATE LANDING STRIPS AND GLIDERPORT on all that part of Fractional Section 31, Township 43 South, Range 41 East, lying South of the West Palm Beach Canal, less that part of said Section 31 being more particularly described as follows: a parcel of land in Section 31, Township 43 South, Range 41 East, lying South of the West Palm Beach Canal and more particularly described as follows: beginning at the Southeast corner of said Section 31, thence North 00°19'52" East along the East line of said Section 31 (for convenience all bearings shown hereon are based on an assumed meridian) to the water edge of the West Palm Beach Canal; thence Westerly along the water edge of the West Palm Beach Canal to the Northerly extension of the West line of Section 5, Township 44 South, Range 41 East; thence South 00°51'45" West along the said Northerly extension to the Northwest corner of said Section 5 and a

point on the South line of Section 31; thence South 89°59'10" East along the South line of Section 31, a distance of 310.66 feet to the Southeast corner of said Section 31 and the Point of Beginning; together with all of Fractional Sections 6, 7, and 18, all in Township 44 South, Range 41 East. Said property located on the south side of State Road 80, approximately 5 miles west of S.R. 7 (U.S. 441), was approved as advertised subject to the following conditions:

1. The alignment and right-of-way of proposed Lake Worth Road as it traverses Phase 2 shall be provided by the developer in accordance with the requirements of the County Engineer at the time of Platting. Further, proposed Lake Worth Road shall be renamed.
2. Petitioner shall construct dual left turn lane, east approach, at the intersection of S.R. 80 and Big Blue Trace.
3. Petitioner shall construct dual left turn lane, south approach, at the intersection of Forest Hill Boulevard and South Shore Boulevard.
4. Petitioner shall construct left turn lane, north approach, at the intersection of Lake Worth Road and South Shore Boulevard.
5. Petitioner shall construct left turn lane, south approach, at the intersection of Lake Worth Road and Greenbriar Boulevard.
6. Petitioner shall construct left turn lane, west approach, at the intersection of Greenbriar Boulevard and Wellington Trace.
7. Petitioner shall construct left turn lane, west approach, at the intersection of Wellington Trace and Big Blue Trace.
8. Petitioner shall contribute Three Hundred Seventy Thousand Nine Hundred Thirty Dollars (\$370,930.00) toward the cost of meeting this project's direct and identifiable traffic impact, to be paid 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 Three Hundred Seventy Thousand Nine Hundred Thirty Dollars (\$370,930.00) towards alleviating some of its traffic impacts. These contributed monies are to be spent for improvements on roadways impacted by this project within the Acme Improvement District.
9. Petitioner will enter into a formal contract with the School Board of Palm Beach County to contribute .4 of 1% of the selling price of each residential dwelling unit in The Landings at Wellington planned unit development 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 of 1% of the initial sales price toward alleviating some of the development's school impact,

10. Petitioner shall agree to limit initial residential construction to no more than 300 dwelling units in the five years beginning with date of planned unit development approval.
11. Petitioner will deed to the School Board of Palm Beach County a twenty (20) acre school site in the original Wellington planned unit development within ninety (90) days. The site will be located on the east side of Big Blue Trace and adjacent to ~~Acme~~ Drainage District C-12 Canal.
12. Petitioner will identify on The Landings at Wellington Master Plan a thirty (30) acre middle school site and deed the site to the School Board of Palm Beach County within one hundred twenty (120) days after approval of The Landings at Wellington planned unit development.

Commissioner Foster, moved for approval of the petition.

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

Peggy Evatt, Chairman	-	yes
Bill Bailey, Vice Chairman	-	Yes
Frank Foster	-	Yes
Norman Gregory	-	Yes
Dennis Koehler	-	Yes

The foregoing resolution was declared duly passed and adopted this 23^d day of January, 1978, confirming action of 28 December 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

