

RESOLUTION NO. R-80-84

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. 79-276 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 27 December 1979; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various county review agencies and the recommendations of the Planning Commission; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The proposal would be in harmony and compatible with the present and future development of the area concerned
2. The proposal would not be disruptive to the character of the neighborhoods or adverse to playgrounds, parks, schools and recreation areas

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 27th day of December, 1979, that Petition No. 79-276 the petition of CURLEW ENTERPRISE INC., by John W. Ewseychik, Jr., Agent, for the REZONING, FROM AG-AGRICULTURAL DISTRICT TO RS-RESIDENTIAL SINGLE FAMILY DISTRICT of Tract 3 of the amended plat

of Section 12, Township 45 South, Range 42 East, Mary A. Lyman et al, as recorded in Plat Book 9, page 74, subject to easements, rights-of-way and/or reservations of record. Said property located on the south side of Hypoluxo Road, approximately 600 feet west of Lawrence Road, was approved as amended per the petitioner's request for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED RESIDENTIAL DEVELOPMENT, subject to the following conditions:

1. Petitioner shall contribute Four Thousand Two Hundred Dollars (\$4200.00) 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). The fee schedule for this project has been calculated in accordance with Ordinance 79-7 as follows:

Single Family - \$300.00/d.u.

However, regardless of the present or future status of this Ordinance, this development shall be required to provide the above Four Thousand Two Hundred Dollars toward alleviating some of its direct and identifiable traffic impact.

2. The proposed road servicing the subdivision must be a private road and maintained by the Homeowners' Association.
3. The Lake Worth Drainage District requests a Quit Claim Deed or an Easement (on their form) for the required right-of-way for Lateral Canal No. 18 as shown on Sheet 61 of 240 of the L.W.D.D. Right-of-Way Maps on record in the office of the Clerk of the Circuit Court.
4. Petitioner shall enter into a formal contract with the School Board of Palm Beach County to contribute four-tenths (4/10) of one percent (1%) of the selling price of each residential dwelling unit in this 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 4/10ths of 1% of the initial sales price toward alleviating some of the development's school impact.
5. The subject property shall not be placed on any Agenda for consideration by the Subdivision Review Committee unless or until acceptable provisions are arranged with the Palm Beach County Health Department for utilization of septic systems in the project.

Commissioner Gregory , moved for approval of the petition.
The motion was seconded by Commissioner Foster , and upon being
put to a vote, the vote was as follows:

Bill Bailey, Chairman		Absent
Dennis Koehler, Vice Chairman	-	Yes
Peggy B. Evatt, Member		Yes
Frank H. Foster, Member		Yes
Norman R. Gregory, Member	-	Yes

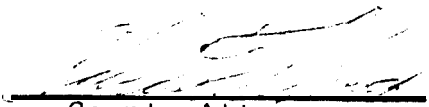
The foregoing resolution was declared duly passed and adopted
this 15th day of January, 1980 , confirming action of
27 December 1979.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By 
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney

