

RESOLUTION NO. R-80-389

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. 80-28 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28 February 1980; 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 28th day of February, 1980, that Petition No. 80-28 the petition of TRAFALGAR DEVELOPERS OF FLORIDA, INC., A Subsidiary of GENERAL ELECTRIC CREDIT CORPORATION, by Clair G. Andersen,

Vice President, for A FURTHER SPECIAL EXCEPTION TO ALLOW THE EXPANSION OF A PLANNED UNIT DEVELOPMENT KNOWN AS EASTPOINTE, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 74-102 on the North 1/2 of the Northwest 1/4 of Section 34, Township 41 South, Range 42 East, less the West 1/2 of the West 1/2 of the Northwest 1/4 of the Northwest 1/4 and less the right-of-way for Hood Road; and, all that part of Section 27, Township 41 South, Range 42 East, lying East of the Easterly right-of-way line of Florida's Turnpike, less the North 75 feet thereof; and, the North 1/2 of the Northeast 1/4 of Section 34, Township 41 South, Range 42 East, less the East 1/2 of the Northeast 1/4 of the Northeast 1/4 and less the right-of-way of Hood Road; all that part of Section 27, Township 41 South, Range 42 East lying Westerly of Florida's Turnpike less the North 75 feet thereof for right-of-way of Donald Ross Road and less the South 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Southeast 1/4. Said property located on the east and west sides of Florida's Turnpike, being bounded on the north by Donald Ross Road and on the south by Hood Road, was approved as advertised subject to the following conditions:

1. Petitioner shall convey to Palm Beach County sixty (60) feet from centerline for the ultimate right-of-way for Hood Road.
2. Petitioner shall construct:
  - a., Donald Ross Road from the existing limits west to the project's westernmost access drive to a two-lane section.
  - b, Left turn lane, east approach, on Donald Ross Road at the project's east access drive.
  - c. Right turn lane, east approach, on Hood Road at the project's east access drive.
  - d. Left turn lane, east approach, on Donald Ross Road at the project's westernmost access drive, when warranted by the County Engineer.
  - e. Right turn lane, east approach, on Hood Road at the project's westernmost access drive, when warranted by the County Engineer.
3. Petitioner shall complete all conditions not completed to date, as previously imposed according to Petition No. 75-137, Resolution No. R-75-776.

4. Petitioner shall contribute One Hundred Eighty-five Thousand Nine Hundred Seventy-five Dollars (\$185,975.00) toward the cost of meeting this project's direct and identifiable traffic impact to be paid at the time of issuance of the building permit(s). This Fair Share Traffic Impact contribution has been determined in accordance with the provisions of Ordinance 79-7 as follows:

Single Family	\$255.02/d.u.
Multifamily	179.01/d.u.
Clubhouses	2,500.00/clubhouse

However, regardless of the present or future status of this Ordinance, this development shall be required to provide the above One Hundred Eighty-five Thousand Nine Hundred Seventy-five Dollars toward alleviating some of its direct and identifiable traffic impact.

5. No future addition to the Eastpointe Planned Unit Development shall be sought, except for the parcel (12 acres) at the northwest corner of Florida's Turnpike and Hood Road.
6. In the event the petitioner acquires property adjacent to the Eastpointe Planned Unit Development, said property shall not be developed for other than single family detached dwellings.

Commissioner Evatt, 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:

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

The foregoing resolution was declared duly passed and adopted  
this 18th day of March, 1980, confirming action of  
28 February 1980.

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

