

RESOLUTION NO. R- 80-501

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. 79-283 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 27 March 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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 27th day of **March, 1980**, that Petition No. 79-283 the petition of ORANGE POINT CORPORATION, by Charles J. Simmons of Gee & Jenson Engineers-Architects, Inc., Agent, for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on that part of Section 23, Township 44 South, Range 41 East, described as follows:

Commencing at the Northwest corner of said Section 23; thence South 01°20'56" East, a distance of 2605.43 feet, to the POINT OF BEGINNING; thence continue South 01°20'56" East, a distance of 2824.25 feet, to a point 228.05 feet East of the Southwest corner of said Section, and 4.85 feet North of the South Section line; thence South 89°32'56" East a distance of 5272.86 feet, to a point on the East line of said Section, 11.45 feet North of the Southeast corner thereof; thence North 01°35'56" West along the East line of said Section, a distance of 2712.56 feet, to the East 1/4 corner thereof; thence North 01°13'12" East continuing along said East line a distance of 88.08 feet; thence North 89°17'20" West, a distance of 5265.75 feet to the POINT OF BEGINNING. Said property located approximately one (1) mile west of S.R. 7 (U.S. 441), and approximately 1.5 mile south of West Forest Hill Boulevard in an AG-Agricultural District, was approved as advertised subject to the following conditions:

1. Petitioner shall convey to Palm Beach County one hundred twenty (120) feet for the ultimate right-of-way for Lake Worth Road.
2. Petitioner shall construct Lake Worth Road from S.R. 7 west to project's westernmost access drive.
3. Petitioner shall construct:
 - a. right turn lane, north approach, on S.R. 7 at Lake Worth Road
 - b. left turn lane, south approach, on S.R. 7 at Lake Worth Road
 - c. left turn lane, west approach, on Lake Worth Road at S.R. 7
 - d. right turn lane, east approach, on Lake Worth Road at project's access drive
 - e. project's access drive to have one lane entering and two lanes exiting.
4. Petitioner shall signalize the intersection of Lake Worth Road and S.R. 7 when warranted, as determined by the County Engineer.
5. Petitioner shall contribute the pro rata share for the cost of constructing a four-lane bridge at the intersection of Lake Worth Road and S.R. 7.

6. Petitioner shall contribute Sixty-eight Thousand Seventy-five Dollars (\$68,075.00) 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	\$220.51/d.u.
Villas	147.16/d.u.
Recreation and Clubhouse	625.00 total
General Commercial	0.125/sq. ft.

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

7. 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.
8. Petitioner must dedicate the civic site to Palm Beach County, without cost, at the time of the filing of the first plat.

Commissioner Foster, 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:

Dennis Koehler, Chairman		Aye
Frank Foster, Vice Chairman	-	Aye
Bill Bailey, Member		Aye
Norman R. Gregory, Member	-	No
Peggy B. Evatt, Member		Absent

The foregoing resolution was declared duly passed and adopted
this 15th day of April, 1980, confirming action of
27 March 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

