

RESOLUTION NO. R- 80-516

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. 80-47 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
2. The proposal would prohibit wasteful and excessive scattering of population **or** settlement
3. The proposal would promote such distribution of population and such classification of land uses, development and utilization as will tend to facilitate and provide adequate provisions for public requirements, including but not limited to transportation, **water flowage**, water supply, drainage, sanitation, educational opportunities, recreation, soil fertility and food **supply**

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this day of , that Petition No. 80-47 the petition of PHILLIP T. WARREN, TRUSTEE, by Paul Wolfe, Attorney, for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on those certain parcels of real property lying and being situated in Township 47 South, Range 41 East, and being more particularly described as follows: Section 22, less the North 184.48 feet as measured at right angles to the North line thereof; and, Tracts 1, 2 and 4 to 12 inclusive; that portion of Tract 13 lying North of the Northerly right-of-way line of the Hillsboro Canal as now laid out and in use; Tracts 14, 15 and 16; Tracts 25 and 32 and that portion of Tract 26 lying North of the Northerly right-of-way line of the Hillsboro Canal as now laid out and in use, said Tracts as shown on Florida Fruit Lands Company's Subdivision No. 2 in Section 27, as recorded in Plat Book I, page 102, together with the East 130 feet of that portion of Section 28 lying North of the Northerly right-of-way line of the Hillsboro Canal as now laid out and in use. Said property located on the west side of 120th Avenue South, and bounded partially on the south by the Hillsboro Canal, was approved as advertised subject to the following conditions:

1. Within ninety (90) days of Special Exception approval, petitioner shall convey to Palm Beach County four hundred twenty-six (426) feet for the ultimate right-of-way for University Parkway thru the project's limits. The alignment to be determined by the County Engineer.
2. Within ninety (90) days of Special Exception approval, petitioner shall convey to Palm Beach County one hundred twenty (120) feet for the ultimate right-of-way for Glades Road/University Drive thru the project's limits. The alignment to be determined by the County Engineer.

3. Within ninety (90) days of Special Exception approval, petitioner shall convey to Palm Beach County two hundred (200) feet for the ultimate right-of-way for Palmetto Park Road thru the project's limits. The alignment to be determined by the County Engineer.
4. Within ninety (90) days of Special Exception approval, petitioner shall convey to Palm Beach County sixty (60) feet for the right-of-way of Riverside Drive, along the project's east property line,
5. Petitioner shall construct at the intersection of Glades Road and S.R. 7:
 - a. left turn lane, north approach
 - b. right turn lane, south approach
 - c. left turn lane, east approach
6. Petitioner shall construct at the intersection of Palmetto Park Road and S.R. 7:
 - a. right and left turn lanes, west approach
 - b. modification of the right turn lane, north approach, as directed by the County Engineer
 - c. modification of the left turn lane, south approach, as directed by the County Engineer
7. Petitioner shall construct at the intersection of Glades Road/University Drive and Riverside Drive:
 - a. left turn lane, south approach
 - b. right turn lane, west approach
8. Petitioner shall construct at the intersection of Glades Road/University Drive and Palmetto Park Road:
 - a. left turn lane, north approach
 - b. right turn lane, south approach
 - c. right turn lane, east approach
 - d. left turn lane, east approach
9. Petitioner shall construct at the intersection of Palmetto Park Road and Riverside Drive:
 - a. right and left turn lanes, north approach
 - b. left turn lane, west approach
10. Petitioner shall construct at the intersection of Glades Road/University Drive and the main loop road:
 - a. left turn lane, south approach
 - b. right turn lane, south approach
 - c. left turn lane, east approach
11. Petitioner shall construct at the intersection of Palmetto Park Road and western loop road:
 - a. right and left turn lanes, north approach
 - b. right and left turn lanes, south approach
 - c. right and left turn lanes, east approach

12. Petitioner shall construct at the intersection of Palmetto Park Road and the eastern loop road:
 - a. right and left turn lanes, north approach
 - b. right and left turn lanes, south approach
 - c. right and left turn lanes, east approach
 - d. right and left turn lanes, west approach
13. Petitioner shall construct:
 - a. the extension of Glades Road/University Drive from Palmetto Park Road north to Riverside Drive to a two-lane facility
 - b. Palmetto Park Road thru the project's limits to a four-lane facility
 - c. Riverside Drive from Palmetto Park Road north to Glades Road to a two-lane facility
14. Petitioner shall modify the signals, as directed by the County Engineer, at the intersections of:
 - a. Glades Road and S.R. 7
 - b. Palmetto Park Road and S.R. 7
15. Petitioner shall contribute Two Hundred Fifty-four Thousand Five Hundred Dollars (\$254,500.00) 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	\$166.00/d.u.
Multifamily	165.00/d.u.
General Commercial	250.00/1,000 sq. ft.

However, regardless of the present or future status of this Ordinance, this development shall be required to provide the above \$254,500.00 toward alleviating some of its direct and identifiable traffic impact.

16. 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, As an alternative, the developer and School Board of Palm Beach County may enter into an agreement for the construction and lease-back of a school building.

17. Petitioner must dedicate the civic site to Palm Beach County, without cost, at the time of the filing of the first plat.
18. Petitioner must dedicate one hundred thirty (130) feet from the centerline along the Hillsboro Canal to the South Florida Water Management District for right-of-way purposes.
19. No temporary on-site water or sewer service(s) will be approved for building construction within this project. Confirmation of utilities for this petition is based on the provision of central water and sewer service from South Palm Beach Utilities.

Commissioner **Gregory** , 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	-	No
Frank Foster, Vice Chairman	-	Aye
Bill Bailey, Member		Aye
Norman R. Gregory, Member	-	Aye
Peggy B. Evatt, Member		No

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: *Paula Ann [Signature]*
 Deputy Clerk

APPROVE AS TO FORM
 AND LEGAL SUFFICIENCY

[Signature]
 County Attorney

