

RESOLUTION NO. R- 80-669

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. 80-60 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24 April 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 not provoke excessive overcrowding or concentration of people or population
2. The proposal would be in harmony and compatible with the present and future development of the area concerned
3. 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 24th day of April, 1980, that Petition No. 80-60 the petition of TED SATTER ENTERPRISES, INC., by Robert A. Satter, President, for THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on a tract of land located in Sections 19 and 30, Township 44 South, Range 42 East, being more particularly described as follows: All of Tracts 29, 30, 32, 39, 40, 41, 42, 46, 52, 53, 54, and the West 1/2 of Tract 45 in Block 25, PALM BEACH FARMS COMPANY PLAT NO. 3, as recorded in Plat Book 2, pages 45 thru 54 inclusive, subject to rights-of-way for roadway and canal purposes and any and all public utilities. Said property located on the north side of Lake Worth Road (S.R. 802), approximately one (1) mile west of Florida's Turnpike, 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:
 - a. Sixty (60) feet from centerline for the ultimate right-of-way for Lake Worth Road.
 - b. Sixty (60) feet from centerline for the ultimate right-of-way for Lyons Road.
2. Petitioner shall construct at the intersection of Lake Worth Road and the project's entrance:
 - a. Right and left turn lanes, north approach
 - b. Right turn lane, east approach
 - c. Left turn lane, west approach
3. Petitioner shall construct a dedicated right-of-way to the recreation area.
4. Petitioner shall contribute Thirty-two Thousand Seven Hundred Dollars (\$32,700.00) 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	\$300.00/d.u.
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However, regardless of the present or future status of this ordinance, this development shall be required to provide the above Thirty-two Thousand Seven Hundred Dollars toward alleviating some of its direct and identifiable traffic impact.

5. 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.
6. Petitioner must dedicate the civic site to Palm Beach County, without cost, within ninety (90) days of the filing of the first plat.
7. The Lake Worth Drainage District will require the North 65 feet for the right-of-way of Lateral Canal No. 11. We will accept a Quit Claim Deed or an Easement (on our form), whichever the owner prefers.

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	-	Aye
Peggy B. Evatt, Member		Absent

The foregoing resolution was declared duly passed and adopted this 20th day of May, 1980, confirming action of 24 April 1980.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: _____
 Deputy Clerk

APPROVE AS TO FORM
 AND LEGAL SUFFICIENCY

 Count; Attorney

