

RESOLUTION NO. R-80-826

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. 80-54 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 29 May 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 be consistent with the Comprehensive Land Use Plan

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 29th day of May, that Petition No. 80-54 the petition of CHARLES LARGAY by Roger D. Stake, Agent, for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on a parcel of land in Section 20, Township 41 South, Range 43 East,

more particularly described as follows: beginning at the intersection of the Easterly right-of-way line of Palmwood Road (as said right-of-way is shown on a plat recorded in Road Book 2, page 75; with the East-West Quarter Section Line of Section 20, Township 41 South, Range 43 East (for the purposes of this description, said Quarter Section Line is assumed to bear South 87°43'14" East and all other bearings hereon are relative thereto); thence North 1°33'06" East a distance of 108.70 feet; thence South 87°43'14" East, a distance of 200.00 feet; thence North 1°33'06" East, a distance of 438.46 feet; thence South 87°43'14" East, a distance of 129.99 feet; thence North 58°47'28" East a distance of 250.00 feet to the centerline of the Intracoastal Waterway; thence parallel to and distant 250.00 feet at right angles from the West right-of-way line of the aforementioned Intracoastal Waterway the following 2 courses: South 31°12'32" East a distance of 1346.29 feet; thence South 15°50'59" East a distance of 289.14 feet; thence South 73°06'11" West a distance of 250.04 feet; thence South 73°06'11" West a distance of 364.13 feet; thence South 68°52'00" West a distance of 620.00 feet; thence South 1°31'24" West a distance of 1.08 feet; thence South 68°52'00" West a distance of 216.70 feet to a point in the Easterly right-of-way line of the aforementioned Palmwood Road; thence North 01°31'24" East along said Easterly right-of-way line a distance of 1247.95 feet to the Point of Beginning; subject to the rights and easements conveyed to the United States of America, as the same appears in Deed Book 485, page 211. Said property located on the east side of Palmwood Road, approximately .3 mile north of Donald Ross Road, was approved as advertised subject to the following conditions:

1. Petitioner shall contribute Twenty-eight Thousand Two Hundred Dollars (\$28,200.00) or Two Hundred Dollars (\$200.00)/dwelling unit, 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).

2. 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.
3. The developer will take reasonable precautions during the development of this project to insure that fugitive particulates (dust particles) from the project do not become a nuisance to neighboring properties.
4. Developer will amend the current dredge and fill permit to reflect what is planned for the residential development, rather than to show mooring of large barges.

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

The foregoing resolution was declared duly passed and adopted this 24th day of June , confirming action of 29 May 1980.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Ruth Van Otter*  
Deputy Clerk

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

*Charles F. Schoch*  
County Attorney

