

RESOLUTION NO, R- 80-828

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. 80-65 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 needs of the County for land areas for specific purposes to serve population and economic activities

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. 80-65 the petition of STEVE and IRENE ABBOTT by Henry Skokowski, Agent, for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on all of Tract 4, Block 5, according to the PALM

BEACH FARMS COMPANY NO. 3, in Section 34, Township 43 South, Range 42 East, as recorded in Plat Book 2, page 46, LESS the West 136.00 feet thereof, and LESS the North 56.00 feet and the Northwesterly 56.00 feet thereof for the Lake Worth Drainage District Lateral Canal No. 3; and more particularly described as follows: COMMENCING at the Northeast corner of said Tract 4, Block 5, the PALM BEACH FARMS COMPANY PLAT NO. 3; thence run South 02°41'44" East, along the East line of said Tract 4, a distance of 56.06 feet to a point on the South line of the Lake Worth Drainage District Lateral No. 3 Canal, and the POINT OF BEGINNING; thence continue South 02°41'44" East, along said East line of Tract 4, a distance of 781.25 feet to the Southeast corner thereof; thence South 87°51'23" West, along the South line of said Tract 4, a distance of 523.96 feet to a point that is 136.00 feet East of the Southwest corner of said Tract 4; thence North 02°18'47" West, parallel with the West line of said Tract 4, a distance of 604.32 feet to a point on the South right-of-way line of the Lake Worth Drainage District Lateral No. 3 Canal; thence North 87°41'13" East, along the said South Canal line, a distance of 96.02 feet to a point on the East right-of-way line of said canal; thence North 00°02'58" East, along the said East Canal line, a distance of 192.28' feet to a point on the South right-of-way line of said canal; thence North 89°59'58" East, along the said South Canal line, a distance of 415.13 feet to the Point of Beginning. Said property located on the south side of Belvedere Road, approximately .3 mile east of Tall Pines Road, was approved as advertised subject to the following conditions:

1. Petitioner shall extend the existing culvert at the entrance road and rip-rap each end of the culvert.
2. Petitioner shall install guardrails on both sides of the entrance road at the canal crossing.

3. Petitioner shall contribute Six Thousand Four Hundred Dollars (\$6,400.00) 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:

Multifamily	\$200.00/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 Six Thousand Four Hundred Dollars toward alleviating some of its direct and identifiable traffic impact,

4. The Lake Worth Drainage District will require a right-of-way for Lateral Canal No. 3 varying from 55 feet to 80 feet in width, more specifically as shown on Sheet 14 of 240 of the L.W.D.D. Right-of-Way Maps as recorded in O.R.B. 1732, page 612. We will accept a Quit Claim Deed or an Easement (on our form), whichever the owner prefers.
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. Prior to the issuance of any Certificate of Occupancy, the developer will install a six (6) foot chain link fence along the entire western property line and provide a landscape screen along this fence line to screen parking areas.
7. Petitioner shall properly notify all prospective home buyers of the proximity of the development to Palm Beach International Airport, if the site is located within the area affected by the Airport Ordinance.
8. The developer shall make every effort to preserve existing trees in accordance with the intent of the site plan presented to the Board of County Commissioners.

Commissioner Foster, moved for approval of the petition.
The motion was seconded by Commissioner Evatt, 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	-	Absent
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: *Beth Van Alstine*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

Charles F. Schuch
County Attorney

