

RESOLUTION NO. R-80.2019

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. 80-119 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 26 June 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 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 23rd day of June, 1980, that Petition No. 80-119 the petition of VAL and MARY PORRETTA and ALBERT and MARIE TORTI, by John Potrekus, Agent, for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on Tract 8 and the West 1/2 of Tract 9, Block 1, Palm Beach Farms Co., Plat No. 9, in Section 30, Township 43 South, Range 42 East, as recorded in Plat Book 5, page 58, Said property located on the south side of Okeechobee Boulevard, approximately 950 feet west of Rubin Road, was approved as advertised subject to the following conditions:

1. Petitioner shall construct at the project's entrance:
 - a. Left turn lane on Okeechobee Boulevard, east approach
 - b. One lane entering and two lanes exiting
 - c. Right turn lane, west approach
2. Petitioner shall contribute Forty-three Thousand Five Hundred Dollars (\$43,500.00) or Three Hundred Dollars (\$300.00)/dwelling units 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).
3. 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.
4. 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.

