

RESOLUTION NO. R-80-1109

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. 80-134 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24 July 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 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 July, 1980, that Petition No. 80-134 the petition of JOHN SNEEP for the REZONING, FROM AG-AGRICULTURAL DISTRICT TO RM-RESIDENTIAL MULTIPLE FAMILY DISTRICT (MEDIUM DENSITY) of the West 691.15 feet of Tract 56, less the drainage ditch and road located on the North 30 feet; together with the East 380.00 feet of Tract 57, less the drainage ditch and road located on the North 30 feet and less the drainage ditch located on the West 40 feet thereof, all lying in Section 25, Township 47 South, Range 41 East, Florida Fruit Lands Company's Subdivision No. 2, as recorded in Plat Book 1, page 102. Said property located on the south side of Sandalfoot Boulevard West, approximately 500 feet west of U.S. 441 (S.R. 7), was approved as amended per the petitioner's request to ALLOW A SPECIAL EXCEPTION FOR A PLANNED RESIDENTIAL DEVELOPMENT, subject to the following conditions:

1. Petitioner shall enter into the existing Homeowners' Association which is responsible for the maintenance of Sandalfoot Boulevard West.
2. Petitioner shall align the proposed entrances with Cascade Road and Dolphin Road on the north side of Sandalfoot Boulevard West.
3. Petitioner shall contribute Eleven Thousand Six Hundred Dollars (\$11,600.00) 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).
4. 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 units 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.

5. 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.
6. Development of the subject property shall be limited to the construction of fifty-eight (58) units.
7. Developer must inform prospective purchasers of units within the subject project of the existence of the child **daycare** center adjacent to the west.

Commissioner Gregory, 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		Aye
Norman R. Gregory, Member	-	Aye
Peggy B. Evatt, Member		Aye

The foregoing resolution was declared duly passed and adopted this 19th day of August, 1980, confirming action of 24 July 1980.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Queth Ann Otterson*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

Charles F. Schoeck
County Attorney

