

RESOLUTION NO. R- 81-204

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. 80-227 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 29 January 1981; 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 conform to the character of the district and its peculiar suitability for particular uses
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 adverse to the promotion of the public health, safety, comfort, convenience, order, appearance, prosperity or general welfare

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 29th day of January 1981, that Petition No. 80-227 the petition of HOVNANIAN, FLORIDA, INC., by William P. Jacobson, Esquire, for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on a parcel of land lying in the Southwest 1/4 of Section 13, Township 43 South, Range 42 East, more particularly described as follows: From a point of reference being a Palm Beach County permanent reference monument at the West 1/4 corner of said Section 13; thence South 88°13'58" East along the North line of the Southwest 1/4 of said Section, a distance of 50.00 feet to a permanent reference monument on the East right-of-way line of Haverhill Road (100 foot right-of-way as now laid out and in use) and the Point of Beginning; thence continue South 88°13'58" East along said North line of the Southwest 1/4 a distance of 1304.83 feet to the Northeast corner of the Northwest 1/4 of the Southwest 1/4 of said Section 13; thence South 01°44'14" West along the East line of the West 1/2 of the Southwest 1/4 of said Section 13 a distance of 858.39 feet to the North line of the North 330 feet of the South 1815 feet of the East 1/2 of the Southwest 1/4 of said Section 13; thence South 88°34'17" East along said North line a distance of 433.11 feet to the East line of the West 433.11 feet of the North 330 feet of the South 1815 feet of the East 1/2 of the Southwest 1/4 of said Section 13; thence South 01°44'14" West along said line a distance of 495.01 feet to the North line of the South 1320 feet of the Southwest 1/4 of said Section 13; thence North 88°34'17" West along said line a distance of 1732.02 feet to the East right-of-way line of said Haverhill Road; thence North 01°29'18" East along said right-of-way line a distance of 1366.13 feet to the Point of Beginning, Said property located on the east side of Haverhill Road, approximately .5 mile south of Roebuck Road, 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 fifty-four (54) feet from centerline for the ultimate right-of-way for Haverhill Road.
2. Petitioner shall construct the 12th Street drainage outfall through the project's limits per the County Engineer's approval.
3. Petitioner shall construct at the project's entrance and Haverhill Road:
 - a. two lanes entering and two lanes exiting
 - b. left turn lane, north approach
 - c. right turn lane, south approach
 - d. signalization when warranted as determined by the County Engineer.
4. Petitioner shall construct Haverhill Road as a 5-lane undivided section from 12th Street to the project's north propertyline. This construction shall be completed prior to the issuance of 50% of the Certificates of Occupancy.
5. Petitioner shall contribute Ninety-two Thousand Dollars (\$92,000.00) 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). (\$200.00 per dwelling unit). This money shall be credited toward the construction of the 5-laning of Haverhill Road.
6. The petitioner will take necessary precautions to Prevent run-off of pollutants from this project to nearby surface waters.
7. 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.

Commissioner Koehler , 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:

Frank Foster, Chairman	AYE
Norman Gregory, Vice Chairman	AYE
Bill Bailey, Member	AYE
Dennis Koehler, Member	AYE
Peggy B. Evatt, Member	AYE

The foregoing resolution was declared duly passed and adopted
this 24th day of February, 1981, confirming action of
29 January 1981.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By : *Keith Paul Thomas*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John M. Brandenburg
County Attorney

