

RESOLUTION NO. R-83-60-A

RESOLUTION APPROVING ZONING PETITION 82-71, SPECIAL EXCEPTION

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. 82-71 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 29 July 1982 ; 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.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 29th day of July 1982, that Petition No. 82-71 the petition of DRIFTWOOD, N.V. and JONATHAN F. CAMPAIGNE by Henry Skokowski, Agent, for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on -the North 1/2 of Tract 1, and all of Tracts 2, 3, 4, 10, 11, 12, 13 and 16 of the Subdivision of the Southeast 1/4 of Section 12, Township 45 South, Range 42 East, as recorded in Plat Book 9, page 74, less rights-of-way for Lake Worth Drainage District Lateral Canals L-19 and 20 and less the right-of-way of Lawrence Road. SUBJECT TO an encroachment on that portion of aforesaid Tract 13 described as follows: BEGINNING at the intersection of the West line of Tract 13 with the North line of Tract 15 of the Amended Plat of Section 12, Township 45 South, Range 42 East, recorded in Plat Book 9, page 74; thence run South along the West line of Tract 13 a distance of 132 feet to a point; thence run Easterly on a line

parallel to the Easterly extension of the North line of Tract 15 a distance of 14 feet to a point; thence run Northerly a distance of 132 feet, more or less, to a point in the Easterly extension of the North line of Tract 15, which point is 23 feet, more or less, from the intersection of the West line, of Tract 13 with the North line of Tract 15; thence Westerly along the Easterly extension of the North line of Tract 15 a distance of 23 feet, more or less, to the Point of Beginning'; as described in Official Record Book 3272, page 1935. Said property located on the west side of Lawrence Road, being bounded on the south by L.W.D.D. Lateral Canal No. 20 and being bounded on the north by L.W.D.D. Lateral Canal No. 19, was approved as amended subject to the following special conditions:

1. Significant on-site vegetation shall be preserved.
2. Petitioner shall construct at the time the north entrance a. Left turn lane, south approach.
3. Petitioner shall construct at the time the south entrance road to Lawrence Road is constructed:
 1. Left turn lane, south approach.
4. Petitioner shall contribute Seventy Thousand Seven Hundred and Twenty Five Dollars (\$70,725.00) toward the cost of meeting this project's direct and identifiable traffic impact to be paid on a pro-rata basis at the time of the filing of each plat.
5. The developer shall take reasonable precautions during the development of this project to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties.
6. The developer shall take necessary precautions to insure there will be no pollutant run-off from this project to adjacent or nearby surface waters.
7. Developer shall dedicate to Lake Worth Drainage District, through Quit Claim Deed or an Easement, the North 45.00 feet of Tracts 1-4 inclusive, for the right-of-way for Lateral Canal No. 19 and the South 35.00 feet, of Tracts 10-13 inclusive and Tract 16 for the right-of-way for Lateral Canal No. 20 all according to the subdivision of the Southeast 1/4 of Section 12, Township 45 South, Range 42 East, as recorded in Plat Book 9, page 74.
8. The gross density of Parcel A shall not exceed 1.0 dwelling units per acre.
9. The gross density of Parcel B shall not exceed 3.3 dwelling units per acre.
10. No Structures in Parcels A and B as designated on the Master Plan, Exhibit #3.
11. No structure shall be constructed within 50 feet of the project's entire eastern property line, including parcels A and B as designated on the Master Plan, Exhibit #3, with existing vegetation to remain within the first 25 feet.
12. No residential structures shall be constructed in the project's northeast corner within 660 feet of Lawrence Road.

13. A continuous 6 foot opaque screen consisting of native **landscaping** and a 6 foot security fence and wall shall be constructed in accordance with the notations on the project's Master Plan, Exhibit #3, along the entire contiguity with abutting private properties along the eastern property boundary.
14. Based upon additional aerial study of the subject areas, it is further recommended that staff work with the petitioner and developer at such time that site development commences to insure identification and preservation of significant native vegetation.
15. North pool area shall be **restricted** to daylight hours and adults only (to be incorporated into Homeowners Restrictions).
16. Petitioner shall retain **onsite** the first one inch of the stormwater run-off per Palm Beach County Subdivision and Platting Ordinance 73-4, as amended.

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:

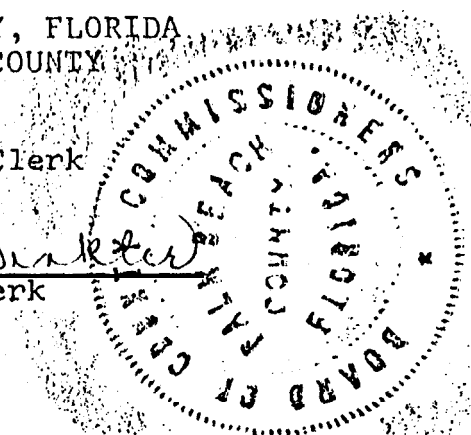
Norman Gregory, Chairman	Aye
Peggy Evatt, Vice Chairman	Nay
Bill Bailey, Member	Aye
Dennis Koehler, Member	Aye
Frank Foster, Member	Aye

The foregoing resolution was declared duly passed and adopted this 18th day of January 1983, confirming action of 29 July 1982.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: Kathleen Dunkle
 Deputy Clerk



APPROVE AS TO FORM
 AND LEGAL SUFFICIENCY

John Corbett
 County Attorney