

RESOLUTION NO. R-83-138

RESOLUTION APPROVING ZONING PETITION 82-130, 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. 82-130 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28 October 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:

- i. 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 28th day of October, 1982, that Petition No. 82-130 the petition of THOMAS GUSTAFSON AND PATRICIA GUSTAFSON by Alan J. Ciklin, Attorney, for THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED RESIDENTIAL DEVELOPMENT on the West 1/2 of the Southwest 1/4 of the Southeast 1/4 of the Southwest 1/4 and the East five acres of the South 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 18, Township 45 South, Range 43 East; and a parcel of land being 75 feet in width measured Easterly and Westerly and 663.09 feet, more or less measured Northerly and Southerly lying Westerly of and contiguous to the Westerly line of the East five acres of the South 1/2 of the Southwest 1/4 of the Southwest 1/4 of said Section 18, subject to a proposed access easement over the West 30 feet, less the South 30 feet thereof. Said property located approximately .2 mile east of Lawrence Road and being bounded on the south by LWDD Lateral Canal No. 22, was approved as advertised subject to the following conditions:

1. 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.
2. The Developer shall take reasonable precaution to insure that runoff from this project will not pollute adjacent or nearby surface waters.
3. Developer shall preserve significant native vegetation.
4. Petitioner shall retain onsite the first one inch of stormwater runoff per Palm Beach Subdivision and Platting Ordinance 73-4, as amended.
5. Within ninety (90) days of approval the right of way for Tucks Road, 50 feet shall be conveyed to Palm Beach County (approximately an additional fifty feet of right of way).
6. Developer, prior to the issuance of a Certificate of Occupancy, and concurrent with filing of the first plat shall:
 - (a) Construct Tucks Road from Lawrence Road east to its eastern terminus within the project.
 - (b) Construct a left turn north approach on Lawrence Road at it's intersection with Tucks Road.
7. Developer shall contribute the sum of Eight Thousand Seven hundred and Fifty Dollars (\$8,750.00) toward the cost of meeting this project's direct and identifiable traffic impact, which is to be paid at the rate of \$250 per dwelling unit at the time of the filing of the plat(s).
8. Subject drainage system shall accept the present sheet flow from adjacent properties per the County Engineer's approval.

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:

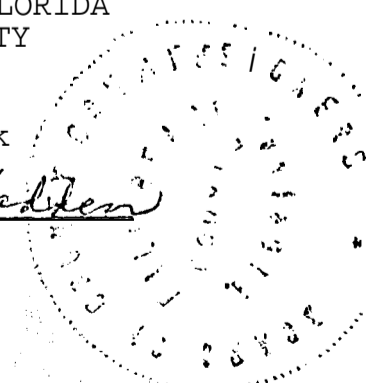
Bill Bailey, Member	Aye
Dennis Koehler, Member	Aye
Peggy B. Evatt, Vice Chairman	Aye
Frank H. Foster, Member	Aye
Norman R. Gregory, Chairman	Absent

The foregoing resolution was declared duly passed and adopted this 8th day of February, 1983, confirming action of 28 October 1982.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: Bettrude B. Madigan
 Deputy Clerk



APPROVE AS TO FORM
 AND LEGAL SUFFICIENCY

John C. [Signature]
 County Attorney