

RESOLUTION NO. R- 83-1071

RESOLUTION APPROVING ZONING PETITION 80-141(A), 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. 80-141(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23rd June 1983; 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 proposed Master Plan revision will not affect this project's vested status with respect to the Comprehensive Plan.
2. The proposed revision is necessary for the project to be developed as intended by the Board and to return the Master Plan to its original status.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 23rd day June 1983, that Petition No. 80-141(A) the petition of FOREST HILL DEVELOPMENT By Felix Granados, Agent, for a SPECIAL EXCEPTION TO AMEND THE MASTER PLAN FOR FOREST HILL DEVELOPMENT PLANNED UNIT DEVELOPMENT PREVIOUSLY APPROVED UNDER ZONING PETITION NO, 80-141 on the North 1/2 of the Southeast 1/4 of Section 11, Township 44 south, Range 42 East, less the right-of-way of Forest Hill Road, the right-of-way of Haverhill Road, the right-of-way of Lake Worth Drainage District Canal E-3 and the Lake Worth Drainage District Canal L-1. Said property located on the northwest corner of the intersection of Forest Hill Boulevard and Haverhill Road in an RM-Residential Multiple Family District (Medium Density) was approved as advertised subject to the

ing conditions:

1. Within ninety (90) days of Special Exception approval, petitioner shall convey to Palm Beach County:
 - a. Sixty (60) feet from the 1/4 Section Line of Section 11, Township 44 South, Range 42 East, for the ultimate right-of-way of Forest Hill Boulevard.
 - b. Fifty-four (54) feet from the east line of Section 11, Township 44 South, Range 42 East for the ultimate right-of-way of Haverhill Road.
2. Petitioner shall align the entrance road on Haverhill Road with the entrance of the project on the east side of Haverhill Road.
3. Petitioner shall align the entrance roads on Forest Hill Boulevard with the entrances of the project to the south.
4. Petitioner shall construct Haverhill Road from Forest Hill Boulevard to the project's north property line.
5. Petitioner shall construct at the intersection of Haverhill Road and Forest Hill Boulevard:
 - a. left turn lane, north approach
 - b. left turn lane, west approach
6. Petitioner shall construct at the intersection of Forest Hill Boulevard and the westernmost access drive:
 - a. left and right turn lanes, north approach
 - b. left turn lane, west approach
 - c. right turn lane, east approach
7. Petitioner shall construct at the intersection of Forest Hill Boulevard and the easternmost access drive:
 - a. left and right turn lanes, north approach
 - b. left turn lane west approach
 - c. right turn lane, east approach
8. Petitioner shall contribute One Hundred Four Thousand Dollars (\$104,000/or 200.00 a dwelling unit (multi-family) 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).
9. This petition shall coordinate with Abbey Park to construct a continuous 3-lane section, the length of the project.
10. There shall be no conversion of rental units to condo for seven (7) years from the date of issuance of the first Certificate of Occupancy.
11. All rental units shall be constructed first prior to the construction of the other units.
12. The developer shall take reasonable precautions during the development of this property to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties.
13. The developer shall take necessary measures during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters.
14. This development must retain on-site the first one inch

of stormwater runoff generated by the three (3) year storm per the requirements of the Subdivision and Platting Ordinance 73-4, as amended,

Commissioner Wilken , 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:

Peggy E. Evatt, Chairman	--	ABSENT
Ken Spillias, Vice Chairman	--	AYE
Dennis P. Koehler, Member	--	AYE
Dorothy Wilken, Member	--	AYE
Bill Bailey, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this day of SEP 13 1983 , confirming action of 23rd June 1983.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Frederick M. Madden
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John Carlisle
County Attorney