

RESOLUTION NO. R- 84-168

RESOLUTION APPROVING ZONING PETITION 83-112, 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-Z have been satisfied; and

WHEREAS, Petition No. 83-112 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 27th October 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 Special Exception to allow a Planned Residential Development is consistent with the minimum requirements of the Comprehensive Plan and the Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 27th day October 1983, that Petition No. 83-112 the petition of JOHN D. & BETTY J. RAWN By John D. Rawn, Agent, for a SPECIAL EXCEPTION TO ALLOW A PLANNED RESIDENTIAL DEVELOPMENT on the East 1/2 of the Northwest 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 26, Township 44 South, Range 42 East: subject to right-of-way over the North 75 feet thereof for Lake Worth Drainage District Lateral Canal L-13. Together with:

The East 1/2 of the Southwest 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 26, Township 44 South, Range 42 East, less the South 40 feet thereof for road right-of-way. Said property located on the north side of Melaleuca Lane, approximately .6 mile west of Military Trail (S.R. 809) was approved as amended subject to the following conditions:

1. The developer shall enter into a contract for utility services with the Palm Beach County Water Utilities Department prior to certification of any site plan or plat.
2. The property owner shall dedicate to Palm Beach County fifty-four (54) feet from center-line for the ultimate right-of-way for Melaleuca Lane (approximately an additional fourteen (14) feet).
3. The developer shall construct a right turn lane, east approach and a left turn lane, west approach on Melaleuca Lane at the Project's entrance concurrent with any on-site paving and drainage improvements.
4. Any future development of this site shall retain on-site the first one inch of stormwater runoff per the requirements of the Palm Beach County Subdivision and Platting Ordinance No. 73-4, as amended.
5. The property owner shall convey to the Lake Worth Drainage District, an easement over the North 75 feet of the East 1/2 of the Northwest 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 26, Township 44, Range 42 for the right-of-way for the L-13 Canal.
6. Prior to site plan certification, the developer shall submit a tree survey and shall revise the site plan to provide preservation of as many existing significant trees as possible.
7. Prior to site plan certification, the site plan shall be revised to indicate proposed private fenced-in courtyards and to provide for a minimum of fifteen-foot separation between these fenced-in areas.
6. The developer shall contribute \$200.00 per unit toward the cost of meeting this project's direct and identifiable traffic impact to be paid at the time of issuance of building permits.
9. 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.
10. The developer shall take necessary measures during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters.

Commissioner Wilken, moved for approval,

of the petition. The motion was seconded by Commissioner Koehler, and upon being put to a vote, the vote was as follows:

Peggy E. Evatt, Chairman -- AYE

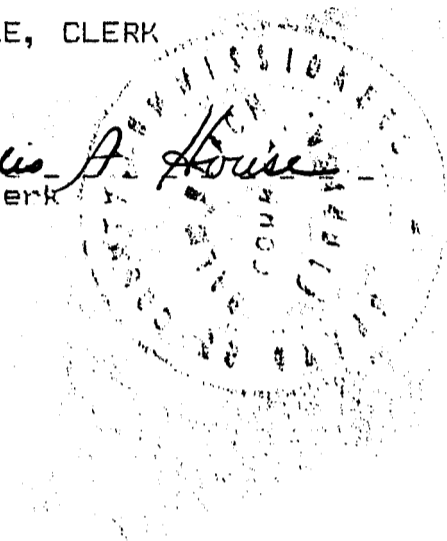
Ken Spillias, Vice Chairman -- ABSENT
Dennis P. Koehler, Member -- AYE
Dorothy Wilken, Member -- AYE
Bill Bailey, Member -- AYE

The foregoing resolution was declared duly passed and adopted this day of **JAN 31 1984** confirming action of 27th October 1983.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Phyllis A. House
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

John Corbett -----
County Attorney