

RESOLUTION APPROVING ZONING PETITION 77-87(B). 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. 77-87(B) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23rd February 1984; 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 revisions to the Master Plan are premissible under the requirements of the Comprehensive Plan and Zoning Code.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY FLORIDA, assembled in regular session this 23rd day February 1984 that Petition No. 77-87(B) the petition of FLORIDA PIONEER INVESTMENTS INC. AND FOXWOOD REALTY CORPORATION By Delfin Menendez, Agent, for a SPECIAL EXCEPTION TO AMEND THE MASTER PLAN FOR LAKESIDE GREEN PLANNED UNIT DEVELOPMENT PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 77-87 BY TRANSFERRING 376 DWELLING UNITS FROM PODS D, I, H & K TO PODS F, G AND J on a parcel of land lying in a portion of Section 13, Township 43 South, Range 42 East, more particularly described as follows:

Commence from the Northeast corner of the Southwest 1/4 said Section 13 Township 43 South Range 42 East thence North 88 degrees 10' 42'

WEST a distance of 677.53 to the point of beginning. thence, South 81
degrees 43' 25" West, a distance of 855.00 thence, North 88 degrees
34' 21" West, a distance of 675.63 feet thence North 01 degrees 44' 28"
East a distance of 863.33 feet, to the North line of the Southwest 1/4
said Section 13, thence: North 88 degrees, 13' 42" West, a distance of
207.05 feet, to the Southeast corner Foxwood Estates Plat No. 1, as
recorded in Plat Book 34, Page 77, thence: North 01 degrees 38' 43"
East along the East line Foxwood Estates Plat No. 1, a distance of
167.01 feet, thence: South 88 degrees 21' 17" East, a distance of 60.00
feet thence North 01 degrees 38' 43" East, along the East line of said
Foxwood Estates Plat No. 1, a distance of 272.00 feet intersecting
the Southern right-of-way line East Palm Beach Drainage District Canal
No. 11 as recorded in Official Record Book 2802 Page 960. thence,
continue North 01 degrees 38' 43" East along said East line Foxwood
Estates Plat No. 1 a distance of 110 feet to the North right-of-way
line of said East Palm Beach Drainage District Canal No. 11 thence
continue North 01 degrees 38' 43" East, along the East line said Foxwood
Estates Plat No. 1 a distance of 475.00 feet to the Southern
right-of-way line, Lakeside Greer Boulevard Foxwood Estates Plat No. 3,
as recorded in Plat Book 40, Page 124, thence North 46 degrees 38' 43"
East along said right-of-way line a distance of 35.36 feet thence:
South 88 degrees 21' 17" East, along said right-of-way line a distance of
175 feet to the point of curvature of a curve concave to the
Northwest having a radius of 472.37 feet having a central angle
of 37 degrees 10' 26" thence run along the arc of said curve 305.00
feet to the point of tangency thence, North 54 degrees 15' 07" East a
distance of 50 feet to the point of curvature of a curve concave to
the South having a radius of 330 feet and having a central angle of 37
degrees 16' 32" thence run along the arc of said curve a distance of
151.00 feet to the point of tangency thence South 88 degrees 21' 17"
East along said right-of-way line a distance of 135.70 feet thence
South 85 degrees 24' 25" East along said right-of-way line a distance
of 202.25 feet thence South 88 degrees 16' 13" East, along said
right-of-way line a distance of 144.42 feet thence South 2 degrees
43' 17" West along right-of-way line a distance of 12 feet thence

South 43 degrees 08'45" East, a distance of 27.12 feet thence; South 88 degrees 01'17" East, a distance of 10.10 feet to the ultimate right-of-way line of Military Trail (S.R. 809), thence; South 01 degrees 58'43" West, along said ultimate right-of-way line a distance of 565.74 feet to the North right-of-way line of East Palm Beach Drainage Canal No. 11 recorded in Official Record Book 2802, Page 960, thence; North 88 degrees 16'13" West, a distance along the said North right-of-way line a distance of 689.15 feet, thence; South 47 degrees 40'00" West, along said right-of-way line a distance of 231.85 feet, thence; North 58 degrees 2'17" West a distance of 590.24 feet intersecting the East line Foxwood Estates Plat No. 1, as recorded in Plat Book 34 Page 77, thence South 01 degrees 38'45" West, along the East line Foxwood Estates Plat No. 1 a distance of 110 feet to the South right-of-way line said East Palm Beach Drainage District Canal No. 11 as recorded in Official Record Book 2802, Page 960, thence; South 88 degrees 21'17" East a distance of 634.65 feet along said southerly right-of-way line, thence North 47 degrees 40'00" East a distance of 238.95 feet thence South 88 degrees 16'13" East, a distance of 20.21 feet thence, South 21 degrees 52'40" West a distance of 607.15 feet to the Point of Beginning less and excepting therefrom the right-of-way for East Palm Beach Drainage District Canal No. 11, as recorded in Official Record Book 2802, Page 960 Subject to easements and rights-of-ways of record SAID property located on the southwest corner of the northwest section of Military Trail (S.R. 809) and Lakeside Green Boulevard approximately .3 miles south of Reebuck Road in an RS-Residential Single Family District was approved as advertised subject to the following conditions:

1. REASONABLE PRECAUTIONS SHALL BE EXERCISED DURING SITE DEVELOPMENT TO PREVENT THAT UNCOMBUSTIBLE PARTICULATES (DUST PARTICLES) FROM BEING DISPERSED & CLEARING TO NEIGHBORING PROPERTIES.

2. REASONABLE MEASURES SHALL BE EMPLOYED DURING SITE DEVELOPMENT TO PREVENT THAT DUST PARTICLES FROM THIS PROPERTY SHALL ENTER ADJACENT NEIGHBORING PROPERTIES.

3. THE DEVELOPER SHALL RETAIN AND MAINTAIN THE FIRST CRYSTAL OF STORMWATER FROM THE EAST PALM BEACH COUNTY SUBDIVISION AND PLATTING ORDINANCE 70-4 AS AMENDED

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4. The property owner shall convey to Palm Beach County, fifty-four (54) feet from the centerline of Haverhill Road for the ultimate right-of-way; sixty (60) feet from the centerline of Military Trail for the ultimate right-of-way and eighty (80) feet for the ultimate right-of-way of Roebuck Road. All conveyances shall be within ninety (90) days of Special Exception approval, and be accepted by Palm Beach County prior to the issuance of the first building permit.

5. The Developer shall construct concurrent with the 4-laning of Haverhill Road as outlined on condition # 18 below, a left turn lane North approach, a right turn lane, South approach and a left turn lane East approach at the intersection of Haverhill Road and the Subdivision's South entrance.

6. The Developer shall construct concurrent with the 4-laning of Haverhill Road as outlined in condition # 18 below, a left turn lane, North approach; a right turn, South approach and a right turn lane, East approach at the intersection of Haverhill Road and Roebuck Road.

7. The Developer shall construct concurrent with the construction of the project's North entrance onto Haverhill Road, a left turn lane, North approach and a right turn lane South approach at the intersection of Haverhill Road and the Subdivision's North entrance.

8. The Developer shall construct left turn lanes from the North, South, East and West approaches at the intersection of Roebuck Road and the Subdivision's entrance(s) concurrent with the construction of the entrance roads onto Roebuck Road.

9. The Developer shall construct a left turn lane, South approach; a right turn lane, North approach and a right turn lane, West approach at the intersection of Military Trail and the Subdivision's South entrance, concurrent with the construction of the project's South entrance road onto Military Trail.

10. The Developer shall construct a right turn lane, north approach, a left turn lane, south approach and a right turn lane, west approach at the intersection of Military Trail and Roebuck Road, concurrent with the 4-laning of Haverhill Road.

11. The Developer shall construct a right turn lane, north approach, a left turn lane, south approach and a right turn lane, west approach at the intersection of Military Trail and the north subdivision entrance concurrent with the construction of the project's north entrance road onto Military Trail.

12. The Developer shall provide an eighty (80) foot wide easement and adequate drainage facilities for the positive outfall from 10th Street and Haverhill Road from the project's South boundary to North Palm Beach Water Control District Canal EPR-111. The alignment of this easement shall be subject to the approval of the County Engineer.

13. The Developer shall be limited to the development of seventeen (17) acres of land with a maximum of ninety (90) units, prior to obtaining and positive outfall for this development.

14. The Developer shall provide signalization when warranted by the County Engineer at the following intersections: Haverhill Road and Roebuck Road; Haverhill Road and the Subdivision Entrance; Military Trail and the North Subdivision Entrance; Military Trail and Roebuck Road; and Military Trail and the South Subdivision Entrance.

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15. The location of the intersection of the project's south entrance road and ~~Haverhill Road shall align with the approved entrance road to~~ Cypress Lakes PUD.

16. The location of the intersection of the project's South entrance road and Military Trail shall align with Shanandoah Boulevard as platted in Plat Book 32, Pages 1 to 6.

17. Density shall not exceed 4.83 dwelling units per acre.

18. The Developer shall construct Haverhill Road from its present ~~4-lane~~ terminus North of 12th Street to a point 200 feet north of Roubuck Road, as a 4-lane undivided section including the appropriate ~~tapers~~ per the County Engineer's approval. The construction plans shall be completed and approved by the County Engineer's office within 3 months of Special Exception approval. These construction plans shall include but not be limited to drainage, sidewalks and/or bikedath. The construction shall be completed and approved within six (6) months of Special Exception approval unless an extension is granted by the County Engineer.

19. The Developer shall contribute \$200 per multi-family unit and \$300 per single-family dwelling unit toward the cost of meeting the project's direct and identifiable traffic impact, to be paid at the time of issuance of the Building Permit(s).

20. Design of road drainage for Haverhill and Roubuck Roads shall accommodate the runoff from the road adjacent to this property and shall be subject to all governmental agency requirements.

21. The developer and County Engineer shall coordinate any additional proposed entrances from residential pods onto internal roadway systems from residential pods onto internal roadway systems prior to Site Plan Review Committee approval for the individual parcel site plans.

Commissioner Evatt 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:

Ken Spillas	Chairman	--	AYT
Dorothy Wilkins	Vice Chairman	--	AYE
Dennis P. Kocher	Member	--	AYE
Peggy E. Evatt	Member	--	AYT
Bill Bailey	Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 19th day of June, 1984 confirming action of 23rd February 1984

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FILED THIS _____ DAY OF _____ 19____
AND RECORDED IN RESOLUTION
MINUTE BOOK NO. 344 AT BOOK 344 PAGE 130
PAGE 126 RECORD VERIFIED
JOHN B. DUNKLE, CLERK
BY _____ CG

PAUL BENCH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS
JOHN B. DUNKLE, CLERK
Sandra Slapka
Deputy Clerk

APPROVED AS TO FORM