

RESOLUTION NO. R- 84-816

RESOLUTION APPROVING ZONING PETITION 83-157, **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. 83-157 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 rezoning is consistent with the minimum requirements of the Comprehensive Plan.

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. 83-157 the petition of THOMAS D. MCCLOSKEY, By Ray Liberti, Agent, for SPECIAL EXCEPTION to allow a PLANNED UNIT DEVELOPMENT on Tracts 55 and 56, Subdivision of Section 13, Township 45 South, Range 43 East, in Plat Book 7, Page 19, together with any and all of Block 16, West Boynton, Subdivision No. 2-C, recorded in Plat Book 15, Page 14, lying between the Southerly right-of-way of Old Boynton Road, as now laid out and in use, the Northerly extension of the West line of said Tract 56 and the Northerly extension of the East line of said Tract 55, Subdivision of Section 19, Township 45 South, Range 43 East. Said property located on

the south side of Old Boynton West Road, approximately . . 2 miles east of Lawrence Road (48th Avenue South) was approved as advertised subject to the following conditions:

1. This development shall retain onsite the first one inch of stormwater runoff in accordance with Palm Beach County Subdivision and Platting Ordinance 73-4, as amended.
2. The property owner shall convey for the ultimate right-of-way of Old Boynton Road, 48 feet from centerline approximately an additional 7 feet within ninety (90) days of approval. The applicant shall affirmatively establish, by title opinion, that he is fully seized in fee simple of said property, free and clear of encumbrances. Provided, however, if any encumbrances exist, applicant shall obtain appropriate releases or subordinations. Conveyance must be accepted by Palm Beach County prior to the issuance of the first building permit.
3. The developer shall construct concurrent with the filing of the first plat a left turn lane east approach on Old Boynton Road at the project's entrance road.
4. The developer shall contribute \$200.00 per dwelling unit toward the cost of meeting this project's direct and identifiable impact, to be paid at the time of issuance of the building permits.
5. 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.
6. The developer shall take necessary measures during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters.
7. Prior to certification, the proposed Master Plan shall be amended to reflect the following:
  - a. maximum density of 6.5 dwelling units per acre.
  - b. provision of the required 25 foot buffer area along all perimeters.
  - c. preservation of existing significant native vegetation.

Commissioner Koehler, moved for approval of the petition.

The motion was seconded by Commissioner Evatt,

and upon being put to a vote, the vote was as follows:

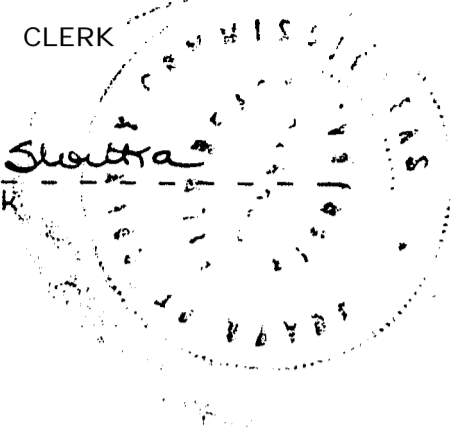
Ken Spillias, Chairman	-- AYE
Dorothy Wilkens, Vice Chairman	- - NAY
Dennis P. Koehler, Member	- - AYE
Peggy E. Evatt, Member-	-- AYE
Bill Bailey, Member	- - AYE

The foregoing resolution was declared duly passed and adopted this 19th day of June, 1984, confirming action of  
23rd February 1384.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Sandie Shotta  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

Chad F. [Signature]  
County Attorney