

RESOLUTION ND. R- 84-1116

RESOLUTION APPROVING ZONING PETITION 84-38, 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 482.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Pet it ion No. 84-38 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23th March 1384; 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 is consistent with the requirements of the Comprehensive Plan and Zoning Code.**

NOW, THEREFORE, BE XT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 29th day March 1984, that Petition, No. 84-38 the petition of ARVIDA CORPORATION By William R. Boose, III, Agent for a SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on a portion of the Southeast 1/4 of Section 15, Township 47 South, Range 42 East, being more particularly described as follows:

Commencing at the Northeast corner of the said Southeast 1/4 of Section 15; thence South 83 degrees 34' 07" West, along the North line of the said Southeast 1/4, a distance of 675.67 feet to the Point of Beginning of this description; thence South 00 degrees 05' 41" East along the West line of the East 1/2 of the Northeast 1/4 of the Southeast 1/4 of said

Sect ion 15, a distance of 1260.22 feet; thence North 88 degrees 38'23" West along the North right-of-way line of State Road 888 (Glades Road) as shown on the State of Florida Department of Transportation Right-of-Way Map, Section 93004-2502, Sheet 3 of 4, a distance of 398.82 feet ; thence North 83 degrees 02'36" West along said North right-of-way line, a distance of 6'34.98 feet; thence South 83 degrees 09'54" West along said North right-of-way line, a distance of 881.86 feet; thence North 00 degrees 24'07" West along West along a line parallel with, and 53.00 feet East of, as measured at right angles to, the West line of the Southeast 1/4 of said Section 15, a distance of 1237.36 feet; thence North 83 degrees 34'07" East along the said North line of the Southeast 1/4 of Section 15, a distance of 1'374.61 feet to the Point of Beginning. Said property located on the northwest corner of the intersection of Jog Road and Glades Road (S. R. 808) was approved as advertised subject to the following conditions:

1. This development shall retain onsite the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 73-4, as amended.
2. The property owner shall convey for the ultimate right-of-way of Jog Road, sixty (60) feet from centerline approximately an additional seven (7) feet within 90 days of approval ; conveyance must be accepted by Palm Beach County prior to issuance of the first building permit.
3. The property owner shall reserve for future dedication to Palm Beach County an additional four (4) feet (64 feet from centerline) for the "Special Intersections" per Palm Beach County's Thoroughfare Right-of-Way Protection Map.
4. The developer shall construct on St. Andrews Blvd. at the project's entrance road, a left turn lane, south approach, concurrent with the construction of the project's entrance road.
5. The developer shall contribute Seven Hundred Dollars (\$700.00) per approved dwelling unit in the form of a Clear Letter of Credit toward the cost of meeting this project's direct and identifiable impact. This Letter of Credit shall be posted within six (6) months of Special Exception approval and may be called upon 12 months after Special Exception approval. These monies will be used for the project of four (4) laning of Jog Road from a point 200 feet north of Glades Road to a point 200 feet north of the project's entrance road, including at the project's entrance road:
 - a. left turn lane north approach and,
 - b. a right turn lane south approach

Any remaining monies are intended to be used for reconstruction of Glades Rd. These monies shall be accepted in lieu of the Fair Share Traffic Impact Fee.

6. Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.

7. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.

8. Prior to certification, the Master Plan shall be amended to reflect the following:

a) buffer treatment along the Glades Road and Powerline/Jog Road frontages including a berm/wall combination six feet (6') in height above the crown of the adjoining roadways, supplemented by canopy trees planted in a number equivalent to one tree per twenty feet of frontage.

b) provision of the required twenty-five foot (25') buffer area along the County/City of Boca Raton boundary.

3. The property owner shall convey to the Lake Worth Drainage District, either by Quit Claim Deed or Drainage Easement, the north 48 feet of the SE 1/4 of Section 15, Township 47S, Range 42E for the right-of-way for Lateral Canal No. 45, within 90 days of this project's approval,

18. Design of the road drainage for Jog Road and St. Andrews Blvd shall accommodate the runoff from the roads adjacent to this property and shall be subject to all government agency appraisals.

Commissioner Evatt, moved for approval of the petition.

The motion was seconded by Commissioner Kochler,

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

Ken Spillias, Chairman	-- AYE
Dorothy Wilkens, Vice Chairman	-- MAY
Peggy Evatt, Member	-- AYE
Dennis P. Koehler, Member	-- AYE
Bill Easley, Member	-- ABSENT

The foregoing resolution was declared duly passed and adopted this 14th day of Aug., 1984, confirming action of 29th March 1984.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney