

RESOLUTION NO. R-85-650

RESOLUTION APPROVING ZONING PETITION 84-52(A), Modification

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. 84-52(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 24th January 1985; 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 proposal is consistent with 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 the 24th of January 1985, that Petition No. 84-52(A) the petition of LEVY-WILLIAMS AND ASSOCIATES, INC., By Mel Levy, Agent, to MODIFY THE FOLLOWING SPECIAL CONDITION PLACED ON ZONING PETITION NO. 84-52 APPROVED APRIL 27, 1984:

CONDITION NO. 9 STATES:

9. The developer shall construct a left turn lane south approach on Jog Road and a sidewalk and school bus stop along Chickasaw Road. This construction will be accepted in lieu of the Fair Share Impact Fee specified on Condition No. 3.

MODIFY CONDITION NO. 9 TO READ:

9. The developer shall construct a sidewalk and school bus stop along Chickasaw Road. This construction will be accepted in lieu of the Fair Share Impact Fee specified on Condition No. 3.

Said property located on the southeast corner of the intersection of Wry Road and Chickasaw Road in an RM-Residential Multiple Family District (Medium Density) was approved as amended subject to the following conditions:

1. The developer shall preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project site plan. Appropriate measures shall also be taken to protect these preservation areas during site clearing and construction.
2. 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.
3. The developer shall contribute **\$300.00** per unit toward the cost of meeting this project's direct and identifiable impact upon Jog Road, to be paid at the time of issuance of the building permit.
4. 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.
5. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
6. Density shall be limited to no more than **3.8** dwelling units per acre.
7. The developer shall install a berm/wall/landscaping combination along the west property boundary to achieve screening of **6** feet in height at time of installation,
8. Within **90** days of this approval, the property owner shall convey by either easement or quit claim deed the North **50** feet of Tract 42, Block 22, Palm Beach Farms Co. Plat No. **3** for the right of way of Lateral Canal **No, 11**.
9. The developer shall revise the existing intersection improvement plans for Jog Road and Chickasaw Road by Wood Lakes subdivision, to include a left turn lane south approach on Jog Road at Chickasaw Road. This developer shall be fiscally responsible for any change order associated with these plans. The developer shall be responsible for constructing a sidewalk on the northside of Chickasaw Road if easements can be obtained from the property owners on the north. If these easements cannot be obtained, this developer shall contribute to Palm Beach County's Bike Path Program the monetary equivalent, based upon a certified cost estimate by the developers's engineer,
10. Petitioner shall construct a school bus shelter at a location chosen by the School Board.

Commissioner **Spillias** , moved for approval of the petition. The motion was seconded by Commissioner **Marcus** , and upon being put to a vote, the vote was as follows:

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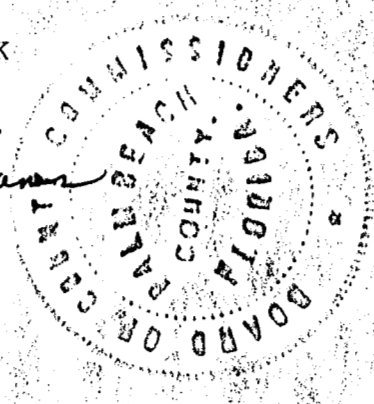
Kenneth M. Adams, Chairman	--	AYE
Karen T. Marcus, Vice Chairman	--	AYE
Ken Spillias, Member	--	AYE
Jerry L. Owens, Member	--	ABSENT
Dorothy Wilken, Member	--	ABSENT

The foregoing resolution was declared duly passed and adopted this 23rd day of April, 1985, confirming action of the 24th January 1985.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Donna McWilliams  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

Stanley Sprague  
County Attorney

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FILED THIS 23rd DAY OF  
April 19 85  
AND RECORDED IN RESOLUTION  
MINUTE BOOK NO ..... AT  
PAGE ..... RECORD VERIFIED  
JOHN B. DUNKLE, CLERK  
BY D. Mc DC