

RESOLUTION NO. R- 85-1876G

RESOLUTION APPROVING ZONING PETITION 85-34, 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. 85-34 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 22nd August 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. With minor revisions to the proposal, it will be technically consistent with the requirements of the Comprehensive Plan and Zoning Code.
2. The School Board of Palm Beach County has demonstrated that the schools serving this petition are operating at or above capacity. The School Board has demonstrated that plans exist for the provision of additional school plants to alleviate overcrowding and to house new students generated by new residential growth. The petitioner has volunteered to participate in the School Site Acquisition Program by contributing \$250.00 for each dwelling unit within the subject PUD. Such funds to be used by the School Board for the acquisition of new sites, or the expansion of facilities serving the subject petition.
3. Payment shall be made to the School Board of Palm Beach County at time of platting. The amount due shall be governed by the number of units approved within each plat.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 22nd of August 1985, that Petition No. 85-34 the petition of HOLLAND BUILDERS, INC., By John Grant, Agent for a

SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on Tract 26, 27, 28, and 29, less the East 30 feet of Tract 29, Block 76, Palm Beach Farms Company Plat No. 3, in Section 17, Township 42 South, Range 42 East as recorded in Plat Book 2, Pages 45 through 54. Said property located on the west side of Golf Course Drive, approximately .3 mile north of Glades Road (S.R. 808) was approved as advertised subject to the following conditions:

1) Prior to site plan certification:

a) The patio homes shall be site planned to accommodate views and to provide and maintain the private outdoor areas pursuant to Zoning Code Section 500.21.4.C.

b) Pedestrian and/or bikeways shall be layed out to provide linkage and access to nearby adjacent, existing and proposed pedestrian and bikeways.

2) The open space system shall be utilized to preserve significant natural vegetation which shall be supplemented with plantings of trees of a species, growth habit and density at a level commensurate with the predominant natural surrounding vegetative growth patterns.

3) 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.

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

5) 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.

6) The property owner shall construct a Left Turn Lane South Approach on Golf Course Road at the project's entrance road concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer. **As** an alternative, should this construction not be feasible per the County Engineer's approval, this property owner may substitute a cash payment for the of this turn lane based upon a Certified Cost Estimate per County Engineer's approval.

7) Property owner shall contribute pro-rata cost of signalization at Golf Course Road and Glades Road when warranted as determined by the County Engineer.

8) The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project presently is \$55,830.00.

9) Based on the Traffic Performance Standards (Category "B"), the Developer shall contribute \$13,957.00 towards roadway improvements in the appropriate Impact Fee Zone. These funds shall be paid prior to the first building permit.

If the "Fair Share Contribution for Road Improvements Ordinance" is amended to increase the Fair Share Fee, this additional amount of \$13,957.00 shall be credited toward the increased Fair Share Fee. Based on 4.0 units/acre.

10) The petitioner shall convey to the Lake Worth Drainage District the South 25.00 feet of Tracts 26, 27, 28, and 29, less the East 30.00 feet of Tract 29, Block 76, Palm Beach Farms Company Plat No. 3 for the required right-of-way for Lateral Canal No. 45, by quit claim deed or an easement deed in the form provided by said district, within ninety (90) days of adoption of the resolution by the Board of County Commissioners.

11) The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.

12) The Developer shall not be issued more than 58 building permits until Palmetto Park Road has been constructed from SR 7 to Jog/Powerline Road, as a six lane facility.

13) The density on this site shall be limited to four (4) dwelling units per acre.

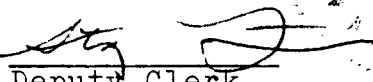
Commissioner Wilken, moved for approval of the petition. The motion was seconded by Commissioner Marcus, and upon being put to a vote, the vote was as follows:

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

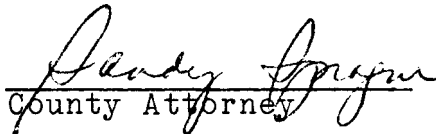
The foregoing resolution was declared duly passed and adopted this 19TH day of NOVEMBER 1985 confirming action of the 22nd August 1985.

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