

RESOLUTION NO. R- 86-112

RESOLUTION APPROVING ZONING PETITION 85-115, 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. 85-115 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 30th October 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. This proposal is 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 Petition No. 85-115 are operating at or above capacity and that plans exist for additional facilities to alleviate overcrowding and to house additional students generated by new residential growth. The petitioner has agreed to participate in the School Site Acquisition Program by contributing \$250.00 for each dwelling unit within the PRD. Funds will be used by the School Board for the acquisition of sites, and/or the construction of facilities serving subject petition.
3. Payment in full shall be due the School Board of Palm Beach County within 180 days of the date of the resolution approving the subject PRD.
4. Petitioner shall enter into formal contract with School Board of Palm Beach County to assure timely payment.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 30th of October 1985, that Petition No. 85-115 the petition of JOHN E. CORBALLY, JAMES FURMAN AND DAVID M. MURDOCH,

TRUSTEES By Russell L. Bielenberg, Agent, for a SPECIAL EXCEPTION TO ALLOW A PLANNED RESIDENTIAL DEVELOPMENT on a parcel of Land in Section 35, Township 42 South, Range 42 East, being more particularly described as follows:

The West 500 feet of the East 590 feet of the South 3026 feet of the East 1/2 of said Section 35. Said property located on the west side of Haverhill Road, approximately .3 mile south of Dyer Boulevard (68th Road North) was approved as advertised subject to the following conditions:

1. Prior to certification of the master plan, the master plan shall be revised to reflect the following:

a) Delineate individual P.R.D. residential tracts and indicate the number of dwelling units proposed for each area, and reference the proposed housing type according to the housing catagorie* outlined pursuant to Code Section 402.7.B.3.d.2), a, b, or c.

b) Allocation of the minimum recreation acreage or facilities, or combination thereof, in a form acceptable to the County Parks Department.

c) Location of significant wooded areas.

2. The developer shall preserve existing significant native vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measures shall also be taken to protect these preservation areas during site clearing and construction.

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 convey for the ultimate right-of-way of Haverhill Road sufficient right-of-way to provide an ultimate roadway section. Such right-of-way to be determined by the County Engineer in cooperation with the developer's engineer. This right-of-way to be dedicated within 180 days of adoption of the resolution by the Board of County Commissioners; conveyance must be accepted by Palm Beach County prior to issuance of first Building Permit.

7. The property owner shall construct at each of the project's entrance roads:

- a) Left turn lane, south approach,
- b) Right turn lane, north approach,

All concurrent with the construction of the projects entrance roads onto Haverhill Road.

8. The property owner shall provide Palm Beach County a road drainage