

RESOLUTION NO. R- 86-759

RESOLUTION APPROVING ZONING PETITION 86-27, 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. 86-27 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 28th March 1986; 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. 86-27 are operating at or above capacity and that plans exist for additional facilities to alleviate overcrowding of additional students generated by new residential growth. The petitioner has agreed to voluntarily participate in the School Board's Site Acquisition Program by contributing \$250.00 for each dwelling unit with the subject development. 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 in accordance to the payment schedule established between the petitioner and the School Board.
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 28th of March 1986, that Petition No. 86-27 the

petition of DIXSEN DEVELOPMENT CORPORATION by L. Joe Dixon, Agent for a SPECIAL EXCEPTION TO ALLOW A MOBILE HOME RENTAL PARK on property described as follows:

Commencing at the Northeast corner of Lot 4, Tract 39, Township 44 1/2 South, Range 42 East, run thence North 88 degrees 23'52" West along the North line of said Lot 4, also being the centerline of Lantana Road a distance of 420.00 feet; thence South 26 degrees 29'02" East and running parallel with the East line of said Lot 4, a distance of 45.34 feet; to a line parallel with and 40 feet Southerly from, measured at right angles to, the said North line of Lot 4, also being the Southerly Right-of-Way line of Lantana Road and the Point of Beginning of the herein described parcel: Thence continue South 26 degrees 29'02" East, and parallel with the East line of Lot 4, a distance of 1087.83 feet to a point in the South line of said Lot 4; then South 89 degrees 15'59" West along the South line of Lot 4, a distance of 952.23 feet, to the Southwest corner of said Lot 4; thence North 24 degrees 36'26" West along the West line of said Lot 4 also being the West line of said Tract 39, a distance of 1112.97 feet to said line parallel with and 40 feet Southerly from the North line of Lot 4; thence South 88 degrees 23'52" East along said parallel line, a distance of 930.83 feet, to the Point of Beginning. Excepting therefrom the following described parcel:

Commencing at the Northeast corner of Lot 4 of Tract 39, Township 44 1/2 South, Range 42 East., run thence North 88 degrees 23'52" West along the North line of said Lot 4, also being the centerline of Lantana Road, a distance of 420.00 feet; thence South 26 degrees 29'02" East, and parallel with the East line of said Lot 4, a distance of 45.34 feet to a line parallel with and 40 feet Southerly from, measured at right angles to, the said North line of Lot 4, and the Point of Beginning of the hereon described parcel; thence continue South 26 degrees 29'162" East and parallel with East line of said Lot 4 a distance of 258.58 feet; thence South 63 degrees 30'58" West a distance of 25.00 feet; thence South 1 degree 34'30" West, a distance of 168.19 feet; then South 46 degrees 34'30" West, a distance of 152.45 feet; thence North 88 degrees 25'30" West a distance of 208.86

feet; thence North 43 degrees 25'30" West, a distance of 97.07 feet; thence North 1 degree 34'30" East, a distance of 216.26 feet.; thence North 46 degrees 34'30" East, a distance of 155.71 feet; thence North 1 degree 34'30" East, a distance of 113.96 feet to a point in said line parallel with and 40 feet Southerly from the North line of Lot. 4, also being the Southerly Right-of-Way line of Lantana Road, thence South 88 degrees 23'52" East along said parallel line a distance of 179.39 feet to the Point of Beginning. Said property located on the south side of Lantana West Road (S.K. 812), approximately .3 mile west of Jog Road was approved as advertised subject to the following conditions :

1. Minimum landscaping shall be installed as per details on Exhibit No. 3a.
2. 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.
3. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent. or nearby surface waters.
4. 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. The drainage system shall be maintained in an acceptable condition per the County Engineers approval.
5. The property owner shall convey for the ultimate right-of-way of Lantana Road, 54 feet from centerline (approximately an additional 14 feet) within 90 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.
6. The property owner shall construct:
 - a. Left turn lane, east approach, and
 - b. Right turn lane, west approach, on Lantana Road at the project's entrance road. All concurrent with the construction of the project's entrance road onto Lantana Road.
7. The property owner shall provide Palm Beach County a road drainage easement within the project's internal lake system for legal positive outfall to accommodate the runoff of Lantana Road along the property frontage and for a maximum 400 ft. distance each side of the property boundary lines along Lantana Road. The drainage system within the project shall have sufficient retention/detention capacity to accommodate the ultimate Thoroughfare Plan Section road drainage runoff and be subject to all governmental agency requirements.
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 \$46,230.00 (575 trips X \$80.40 per trip).
9. The petitioner shall convey to the Lake North Drainage District the south 30 feet. of the subject property for the required right-of-way for Lateral Canal No. 16. 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.

10. Property owner shall provide Palm Beach County a certified survey to include a limited access easement along Lantana Road, delineation of the recreation area, delineation of the drainage area, and entrance road location per the County Engineer's approval.

11. The petitioner shall execute and record a Unity of Title acceptable to the County Attorney's office for the subject property prior to master or site plan certification.

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

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

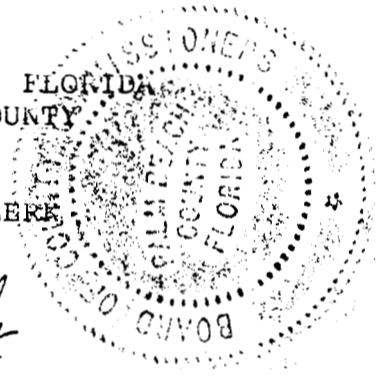
The foregoing resolution was declared duly passed and adopted

th this day of May, 1986 confirming action of the 28th March 1986.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara O'Leary
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Andy Progan
County Attorney