

RESOLUTION NO. R-88-1200

RESOLUTION APPROVING ZONING PETITION NO. 76-60(A)
SPECIAL EXCEPTION PETITION OF LANDMARK LAND
COMPANY OF FLORIDA, INC.

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. 76-60(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on July 23, 1987; 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, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner; 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 local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 76-60(A) the petition of LANDMARK LAND COMPANY OF FLORIDA, INC., for a SPECIAL EXCEPTION TO AMEND THE MASTER PLAN FOR A PLANNED UNIT DEVELOPMENT PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 76-60 ON JUNE 8, 1976 (R-76-481, ADOPTED MAY 27, 1976) TO 1) TRANSFER UNITS FROM PARCEL A TO PARCEL F, AND 2) INCLUDE A RECREATION FACILITY AND CLUB (EQUESTRIAN CLUB) ON PARCEL A, on a parcel of land being the East 1/2 of Section 20, Township 44 South, Range 41 East, and Section 21, Township 44 South, Range 41 East; Less that part of the Southwest 1/4 of said Section 21 described as follows: Beginning at the Southwest corner of said Section 21; thence, North 00 degrees 51' 13" East, along the West line of said Section 21, a distance of 1391.0 feet; thence South 89 degrees 17' 17" East, a distance of 1490.0 feet; thence South 00 degrees 51' 13" West, parallel with the West line of said

Section 21, a distance of 1386.26 feet, to the South line of said Section; thence Westerly along the South line of said Section 21, a distance of 1490.02 feet to the Point of Beginning, located approximately 3 miles west of State Road 7 and approximately 3 miles south of State Road 80 in an RE-Residential Estate Zoning District, was approved as advertised, subject to the following conditions:

1. The developer shall comply with all previous conditions of approval unless expressly modified herein.
2. Prior to master plan certification by the Site Plan Review Committee, the master plan shall be amended to indicate the following:
 - a. Required number of trees.
 - b. Labelling and acreage of the Equestrian Club Facility.
3. Prohibited plant species shall be removed pursuant to 500.35.F.17. (Eradication Program For Prohibited Plant Species).
4. Since sewer service is available to the property, septic tank shall not be approved for use on said property.
5. Since water service is available to the property, a well shall not be approved for potable water use on said property.
6. Condition No. 3 of Zoning Petition No. 76-60 (R-76-60) which states:

"3. The Developer shall convey one hundred twenty (120) feet of right-of-way and construct four (4) travel lanes for Lake Worth Road Extension (i.e. Main Development Road), as determined by the County Engineer;"

is hereby revised to read as follows:

"3. The property owner shall convey for the ultimate right-of-way of Lake Worth Road, a total of 120 feet within 90 days of the approval of the Resolution approving this project."

7. The property owner shall provide construction plans for Lake Worth Road as a 4 lane median divided section (expandable to 6 lanes within the limits of this project) plus appropriate tapers. These construction plans shall be approved by the County Engineer based

upon Palm Beach County's minimum Construction Plan Standards as they presently exist or as they may from time to time be amended. These construction plans shall be completed within 12 months of the approval of the Resolution approving this project.

8. The property owner shall construct Lake Worth Road as a two (2) lane section within the project limits when required for paved continuity of Lake Worth Road as determined by the County Engineer. The cost of any signal modifications or other utility relocations required with this road construction shall be borne entirely by the developer. Work and construction performed in Condition Nos. 7 and 8 shall not be credited toward the Fair Share Impact Fee.
9. Surety required for the offsite road improvements as outlined in Condition No. 7 and No. 8 shall be posted with the Office of the County Engineer prior to January 1, 1988.
10. The property owner shall construct:
 - a) Pierson Road as a 2 lane roadway (collector street standards minimum 2-12 foot travel lanes)
 - b) at the intersection of Pierson Road and South Shore Boulevard, right turn lanes on the north, south, east and west approaches and a left turn lane on both the north and south approaches all concurrent with the first street connection to Pierson Road.

Construction of this roadway shall not be credited toward the Fair Share Impact Fee.

11. The property owner shall provide to Palm Beach County a road drainage easement within the project's internal lake system which is adjacent to the property capable of accommodating all runoff from those segments of Lake Worth Road and South Shore Boulevard along the property frontage and for a maximum 400 ft. distance each side of the property boundary lines along Lake Worth Road and South Shore Boulevard. The drainage system within the project shall have sufficient retention/detention capacity to meet the storm water discharge requirements of the applicable County Control District and South Florida Water Management District. The design of the system shall assume the ultimate Thoroughfare Plan Section road drainage runoff.
12. 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:

- a) \$804 per single family home under 2,00 square feet
- b) \$1,045 per single family dwelling unit over 2,000 square feet
- c) \$562 per multi-family dwelling unit.

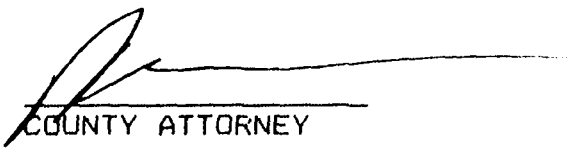
Commissioner Marcus, moved for approval of the petition. The motion was seconded by Commissioner Elmquist, and upon being put to a vote, the vote was as follows:

Carol A. Roberts	--	Aye
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Aye
Kenneth M. Adams	--	Aye

The foregoing resolution was declared duly passed and adopted this 9th day of August, 1988 confirming action of July 23, 1987.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY:


COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


DEPUTY CLERK

