

RESOLUTION R-99- 1220

RESOLUTION CORRECTING RESOLUTION R-99-1138
RESOLUTION APPROVING ZONING PETITION OF REALTICORP
PETITION PDD98-079

WHEREAS, REALTICORP, petitioned the Palm Beach County Board of County Commissioners on May 27, 1999 for an Official Zoning Map Amendment (Z) to a Planned Development District (PDD) from Agricultural Residential (AR) to Multiple Use Planned Development (MUPD) Zoning District; and

WHEREAS, Resolution R-99-1138, adopted on June 29, 1999 confirming the action of the Board of County Commissioners inadvertently contained errors in Conditions E. 1 and E.4.A, E.4.B and E.4.C of Exhibit C; and

WHEREAS, Conditions E.1 and E.4.A, E.4.B and E.4.C in Resolution R-99-1138 should have read as follows:

1. The Property owner shall construct:
 - a) Separate right turn lane on Palmetto Park Road at its intersection with Parkview Estates at Boca.
 - b) Separate right turn lane on Palmetto Park Road at its intersection with Via Emilie;
 - c) Separate right turn lanes south approach on S.R. 7 at the projects south entrance road;
 - d) left turn north approach on S.R. 7 at the projects north entrance road;
 - e) left turn lane west approach including a directional median opening and a separate right turn lane east approach on Palmetto Park Road at the projects west entrance Road.
 - f) pedestrian pathway along the north right of way of Palmetto Park Road from the west entrance to Veterans Park to SR 7. This construction shall include any required drainage improvements along Palmetto Park Road.
 - g) an additional left-turn lane south approach (dual left turn lanes) on SR 7 at Oriole Country Road.
 - h) an additional left-turn lane north approach (dual left turn lanes) on SR 7 at S.W. 18th Street, including appropriate receiving lanes on SW 18th Street (minimum 28 feet in width), plus any appropriate tapers.
 - i) lengthen the existing right-turn lane east approach at Palmetto Park Road and SR 7 as required by the County Engineer.
 - A) ~~This~~ All construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

Drainage required to accommodate the construction of items f) and i) above shall be accommodated by this property owner within the petitioners drainage system if there is not sufficient drainage within the Palmetto Park Road right-of-way.

- B) Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. (BLDG PERMIT: MONITORING-Eng)
- G) Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng)

4. "CUTOUT" LANDSCAPE STRIPS WITHIN THE CONCRETE MEDIAN OF PALMETTO PARK ROAD

- A. Prior to issuance of a building permit, the property owner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to provide for landscape cutouts within the concrete median of Palmetto Park Road Rights-of-way contiguous to the frontage. As part of this permit process, the property owner shall enter into a Right of Way ~~eConcrete mMedian eCutout; Landscape and pPaver bBlock~~ Agreement, including appropriate Maintenance, Removal, and Indemnification agreements. When landscape plantings and the installation of paver blocks are permitted by the County Engineer, the landscape material within the concrete cutouts shall be consistent with the landscaping theme approved by Palm Beach County for this roadway. All landscape material, installation, and maintenance requirements shall be subject to the standards set forth by the Palm Beach County Streetscape Standards. Alternative species and paver block material other than those listed in the County standards may be allowed subject to approval by the County Engineer. (BLDG PERMIT: MONITORING - Eng.)
- B. All required median landscaping, including an irrigation system, the cost of cutting out the concrete median and the installation of all landscape material and paver block shall be funded at the property owners expense. All new landscape material and paver block shall also be the perpetual maintenance obligation of the petitioner and its successors, or assignees or duly established Property Owner's Association Perpetual maintenance includes, but is not limited to, pruning, fertilizing, irrigation to the cut out areas. All landscape material shall be installed prior to the issuance of the first certificate of occupancy. (CO: MONITORING - Eng)
- C. Declaration of Covenants and Restriction Documents shall be established or amended as required evidencing this obligation, prior to issuance of a building permit ~~to reflect this obligation.~~ (BLDG.PERMIT: MONITORING - Eng.)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

- 1. The foregoing recitals are hereby affirmed and ratified.

2. Conditions E.1 and E.4.A, E.4.B and E.4.C of Exhibit C of Resolution R-99-1138 are hereby corrected.

Commissioner Marcus moved for the approval of the Resolution.

The motion was seconded by Commissioner Newell, and upon being put to a vote, the vote was as follows:

Maude Ford Lee, Chair	-	Aye
Warren Newell, Vice Chair	-	Aye
Karen T. Marcus	-	Aye
Carol A. Roberts	-	Absent
Mary McCarty	-	Aye
Burt Aaronson	-	Aye
Tony Masilotti	-	Absent

The Chair thereupon declared the resolution was duly passed and adopted on July 22, 1999.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK

