

RESOLUTION NO. R-74-425

RESOLUTION APPROVING ZONING PETITION

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, and Chapter 70-863, Laws of Florida, Special Acts of 1970, 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. 74-66 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23 May 1974.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 23rd day of May, 1974, that petition No. 74-66, the petition of THOMAS MACCARI for the REZONING, FROM AG-AGRICULTURAL DISTRICT TO RM-RESIDENTIAL MULTIPLE FAMILY DISTRICT (MEDIUM DENSITY) AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on all of the South 1/4 of the Southeast 1/4 lying North of the North right-of-way line of Lake Worth Drainage District Lateral Canal No. 32, of Section 11, Township 46 South, Range 42 East; and, all of the North 1/2 of the Northwest 1/4 of the Southeast 1/4; and all of the West 1/2 of the South 1/2 of the Northwest 1/4 of the Southeast 1/4 of, Section 14, Township 46 South, Range 42 East, lying and being North of the right-of-way of State Road 806 (i.e., Delray West Road) and East of the right-of-way of Canal E-3 of the Lake Worth Drainage District; and, the West 1/2 of the Northeast 1/4; North 1/2 of the Southeast 1/4 of the Northeast 1/4; the West 1/2 of the Southwest 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 14, Township 46 South, Range 42 East; less the North 145 feet of the South 560 feet of the East 165 feet of the South 1/2

of the Northwest 1/4 of the Northeast 1/4; less the East 165 feet of the South 1/2 of the Northwest 1/4 of the Northeast 1/4 less the South 560 feet thereof. Said property located on the west side of Military Trail (S.R. 809) and the north side of Delray West Road (S.R. 806), was approved as amended to rezone the following described parcel from AG-Agricultural District to RS-Residential Single Family District: all that part of the South 1/4 of the Southeast 1/4 of Section 11, Township 46 South, Range 42 East, lying east of the existing right-of-way of Lake Worth Drainage District Canal E-3, lying North of the existing right-of-way of Lake Worth Drainage District Canal L-32, and lying West of the right-of-way of State Road 809 (Military Trail), containing 39.7547 acres; also including all that part of the Northeast 1/4 of Section 14, Township 46 South, Range 42 East, lying East of the existing right-of-way of Lake Worth Drainage District Canal E-3, lying South of the existing right-of-way of Lake Worth Drainage District Canal L-32, lying North of the existing right-of-way of Lake Worth Drainage District Canal L-33, and lying West of the existing right-of-way of State Road 809 (Military Trail); less and excepting therefrom the Northeast 1/4 of the Northeast 1/4 of said Section 14; and less the East 3/4 of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of said Section 14; and less all that part of the East 165 feet of the South 1/2 of the Northwest 1/4 of the Northeast 1/4 of said Section 14 lying North of the South 415 feet thereof, containing 105.3868 acres; and rezone the following described parcel from AG-Agricultural District to RM-Residential Multiple Family District (Medium Density): all that part of the Northwest 1/4 of the Southeast 1/4 of Section 14, Township 46 South, Range 42 East, lying East of the existing right-of-way of Lake Worth Drainage District Canal E-3, and lying South of the existing right-of-way of Lake Worth Drainage District Canal L-33 and lying North of the existing right-of-way of State Road 806 (Delray West Road); less and excepting therefrom the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of said Section 14, containing 27.0283 acres, and the further Special Exception to allow a Planned Unit Development on all of the above described

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Michael B. Small
County Attorney

parcels, subject to the following special conditions:

- 1) Maximum density shall not exceed 6.9 dwelling units per acre;
- 2) Drainage system constructed by the developer shall meet with the approval of the County Engineering Department;
- 3) Construct at intersection of Military Trail and this development's north entrance:
 - a) left turn lane on the south approach
 - b) signalization installed by the developer;
- 4) Construct at intersection of Military Trail and the development's south entrance:
 - a) left turn lane on the south approach
 - b) left and right turn lanes on the west approach
 - c) signalization installed by the developer;
- 5) Construct at the intersection of Sims Road and Delray West Road:
 - a) left turn lane on the west approach—improve storage length, if warranted
 - b) signalization installed by the developer;
- 6) Construct at the intersection of Military Trail and Delray West Road:
 - a) left turn lane on the north approach
 - b) right turn lane on the east approach;
- 7) Construct **Military Trail**:
 - a) To a paved four-lane facility from Delray West Road through the south development's entrance road intersection
 - b) Widen the section **from** the south entrance to the north property line from a twenty (20) to twenty-four (24) foot pavement width;

- 8) Construct Sims Road into a paved two-lane facility from Delray West Road to the development's north entrance, using County Typical for an eighty (80) foot Collector;
- 9) Dedicate to Palm Beach County sixty (60) feet of right-of-way from centerline of Military Trail;
- 10) Dedicate to Palm Beach County sixty (60) feet of right-of-way from centerline of Delray West Road.

The foregoing resolution was offered by Commissioner **Warren** , who moved its adoption. The motion was seconded by Commissioner **Lytal** , and upon being put to a vote, the vote was as follows:

Robert F. Culpepper	aye
Lake Lytal	
E. W. Weaver	vacation
Robert C. Johnson	aye
George V. Warren	aye

The Chairman thereupon declared the resolution duly passed and adopted this **4th** day of **June** , 1974, confirming action of 23 May 1974.

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

JOHN B. DUNKLE, Clerk

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By 
Deputy Clerk