

RESOLUTION NO. R-74- 1038 .

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. 74-179, was presented to the Board of County Commissioners of Palm Beach County at, its public hearing conducted on 21 November 1974.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 21 day of November, 1974, that petition No. 74-179, the petition of KINGS POINT HOUSING CORPORATION by R.W. Flanery, Agent, for the REZONING, FROM CN-NEIGHBORHOOD COMMERCIAL DISTRICT TO CS-SPECIALIZED COMMERCIAL DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED OFFICE-BUSINESS PARK on a parcel of land in Tract 1, Kings Point Plat No. 1, in Section 22, Township 46 South, Range 42 East, as recorded in Plat Book 29, page 138; said parcel of land being more particularly described as follows: Beginning at the Northeast corner of said Tract 1; thence South along the East line of said Tract 1, a distance of 200.08 feet; thence North 88° 21' 55" West, parallel with the North line of said Tract 1, a distance of 217.89 feet; thence South, parallel with the East line of said Tract 1, a distance of 500.21 feet; thence North 88° 21' 55" West,

a distance of 672.47 feet; thence North, a distance of 700.29 feet to a point 2 feet South of, as measured at right angles to, the said North line of Tract 1; thence South 88° 21' 55" East, parallel to the said North line, and along the said North line, a distance of 890.36 feet to the Point of Beginning; containing approximately 11.80 acres. ALSO, A SPECIAL EXCEPTION FOR A PLANNED NEIGHBORHOOD COMMERCIAL DEVELOPMENT on a parcel of land in Tract 1, Kings Point Plat No. 1, in Section 22, Township 46 South, Range 42 East, as recorded in Plat Book 29, page 138; said parcel of land being more particularly described as follows: commencing at the Northeast corner of said Tract 1; thence South along the East line of said Tract 1, a distance of 200.08 feet for a Point of Beginning; thence continue South along said East line, a distance of 500.21 feet; thence North 88° 21' 55" West, a distance of 217.89 feet; thence North a distance of 500.21 feet; thence South 88° 21' 55" East, parallel with the North line of said Tract 1, a distance of 217.89 feet to the Point of Beginning; containing approximately 2.50 acres and in a CN-Neighborhood Commercial District. Said property located at the southwest corner of Atlantic Avenue (S.R. 806) and proposed Carter Road, was approved as advertised, subject to the following special conditions:

1. Developer shall construct at the intersection of Delray West Road and Jog Road (Carter Road):
  - a. Left and right turn lane, south approach;
  - b. Right turn lane, west approach;
  - c. Possible upgrading of the existing left turn on the east approach; and,
  - d. Signalization if and when warranted.
2. Developer shall construct at the intersection of Jog Road (Carter Road) and the development's entrance:
  - a. Right turn lane, north approach;
  - b. Left turn lane, south approach; and,
  - c. Signalization if and when warranted.

3. Developer shall construct a right turn lane, west approach at the intersection of Jog Road (Carter Road) and the development's entrance;
4. Developer shall install a six (6) foot height chain link fence along the south property line;
5. Developer shall provide a twenty-five (25) foot planted buffer along the south property line containing a hedge being a minimum of four (4) feet in height;
6. Developer shall provide trees, within the twenty-five (25) foot buffer area along the south property line, at a minimum of eight (8) feet in height and forty (40) feet on center;
7. Drainage discharge shall meet the Lake Worth Drainage District criteria.

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

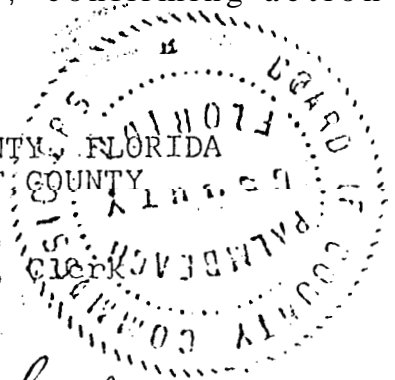
Robert F. Culpepper	- Yes
Lake Lytal	- Yes
E. W. Weaver	- Yes
Robert C. Johnson	- Yes
William H. Medlen	- Yes

The Chairman thereupon declared the resolution duly passed and adopted this 19th day of December, 1974, confirming action of 21 November 1974.

PALM BEACH COUNTY, FLORIDA  
 BY ITS BOARD OF COUNTY  
 COMMISSIONERS

JOHN B. DUNKLE, Clerk

By G. Kate Beecher  
 Deputy Clerk



APPROVED AS TO FORM AND  
 LEGAL SUFFICIENCY

[Signature]  
 Michael B. Small  
 County Attorney

FILED THIS 19th DAY OF  
December, 1974  
 AND RECORDED IN RESOLUTION  
 MINUTE BOOK NO. \_\_\_\_\_ AT  
 PAGE \_\_\_\_\_, RECORD VIEWED

-3-

JOHN B. DUNKLE, Clerk

BY G. Kate Beecher

RESOLUTION NO. R- 74 - 1039

Providing Clarification Amendments to Resolution No. R-74-705, approving  
Development of Regional Impact Petition No. DRI-74-5

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 SO-863, Laws of Florida, Special Acts of 1970, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the Board of County Commissioners, as the governing body of local government having jurisdiction, pursuant to Chapter 330.031 and Chapter 380.06, Florida Statutes, is authorized and empowered to consider applications for development approval of developments of regional impact; 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 and Chapter 380.06 (7) have been satisfied; and

WHEREAS, Petition No. DRI-74-5, the Application for Development Approval and the South Florida Regional Planning Council's Impact Assessment for Boca Verde were presented and duly considered by the Board of County Commissioners of Palm Beach County at its hearing conducted on the 25th day of July 1974; and

WHEREAS, the Board of County Commissioners of Palm Beach County complied with all the requirements of Chapter 380.06 (11); and

WHEREAS, the Board of County Commissioners of Palm Beach County has historically approved petitions relating to zoning and land development matters by official Resolution of the Board of County Commissioners after a thorough and comprehensive review of the petition by the Palm Beach County Planning Commission and professional staff; and

WHEREAS, historically those matters of special significance remaining unresolved by application of local land use regulations or

previous Planning Commission and staff solution have been resolved by **the** incorporation of **special** conditions to the petition's approval **by the** Board of County Commissioners; and

**WHEREAS**, in the formal approval by the Board of County Commissioners of Resolution No. R-74-705 on September 3, 1974 confirming Board action of July 25, 1974 as the governing body hearing applications for development approval for developments of regional impact, the Board did impose those special conditions in the approval of Petition No. DRI-74-5, a copy of said Resolution being attached hereto as Exhibit "A"; and

**WHEREAS**, a copy of Resolution No. R-74-704 was transmitted to the State Land Planning Agency and the South Florida Regional Planning Council as required by Chapter 380 Florida Statutes; and

**WHEREAS**, the South Florida Regional Planning Council expressed concern that the subject Resolution did not address the manner in which certain negative regional issues outlined in the South Florida Regional Planning Council Impact Assessment for the Boca Verde project were resolved; and

**WHEREAS**, in response to this concern the Executive Director of the Palm Beach County Planning, Zoning and Building Department in a letter dated October 1, 1974 to the South Florida Regional Planning Council, a copy of said letter being attached hereto and made a part hereof as Exhibit "E", attempted *to* set forth the manner in which these certain issues were addressed by Palm Beach County; and

**WHEREAS**, on October 7, 1974, the South Florida Regional Planning Council voted *to* initiate an appeal of Resolution No. 74-705 (Development Order) to the Florida Land and Adjudicatory Commission pursuant to Chapter 380, Florida Statutes, on the basis that the Resolution did not remove the adverse regional impacts of the development pertaining to:

- a) project density;
- b) solid waste disposal;
- c) potable water supply;
- d) external transportation systems;

and

WHEREAS, the Board of County Commissioners of Palm Beach County has been requested by the petitioner, Arvida Corporation, to further clarify the manner in which the four (4) issues serving as the basis for the Regional Planning Council's appeal to the Adjudicatory Commission were addressed and resolved;

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Palm Beach County, Florida, assembled in regular session this 19th day of December, 1974 that:

Section 1. The Board of County Commissioners of Palm Beach County does hereby rely on Resolution No. 74-705, a copy of which is attached hereto and made a part hereof as Exhibit "A", setting forth the special conditions of approval of Petition No. DRI-74-5 relating the local government solutions for the following issues: ' internal and external transportation systems, fire protection, education, and environmental preservation:

Section 2. The Board of County Commissioners of Palm Beach County does hereby further clarify the manner in which Palm Beach County addressed and resolved the issues of project density, solid,waste disposal, potable water supply and external ti-ansportation systems.

1. Project Density. The zoning ordinance of Palm Beach County, Florida (Ordinance No. 73-2, Section 500.21, subsection (E) ) requires that a proposed planned unit development be developed in accordance

with the officially approved Final Master Land Use Plan. The officially approved Final Master Land Use Plan for Petition No. DRI-74-5 (Boca Verde) provides for a maximum of three thousand seven hundred and seventy three (3773) dwelling units based on six hundred and thirty nine and six tenths (639.6) acres for a gross density of five and nine tenths (5.9) dwelling units per gross acre,

2. Solid Waste Disposal. The Board of County Commissioners of Palm Beach County, Florida considered solid waste disposal for the subject project. The Palm Beach County-Lantana sanitary land fill site will adequately serve as the disposal site for the solid waste generated by the project until the Palm Beach County Solid Waste Authority has established alternative sites and methods for the disposal of solid waste in the County.

Palm Beach County Zoning Ordinance No. 73-2, Section 500.21, subsection (E) requires the platting of each development phase in conformance with the requirements of the Palm Beach County Subdivision and Platting Regulation Ordinance.

The Palm Beach County Site Plan Review Committee, comprised of members of the Planning and Zoning Department, the County Attorney's Office, the County Health Department, and the County Engineer's Office, must approve each development phase plat prior to its submission to the Board of County Commissioners.

The Site Plan Review Committee will consider whether sufficient solid waste disposal capacity exists to meet the needs of the dwelling units approved in each particular development phase prior to approving the phase plat. A

copy of the Committee's official approval letter to the Board of County Commissioners will be forwarded to the South Florida Regional Planning Council.

3. Potable Water Supply. The Board of County Commissioners considered the issue of potable water supply for the project. The City of Boca Raton has entered into an agreement to provide the necessary potable water to serve the land encompassed within the project. The Central and Southern Florida Flood Control District Impact Evaluation for the Development of Regional Impact project known as Boca Verde dated June 11, 1974 verifies that potable water supply capabilities do exist in the Regional utility agency, the City of Boca Raton.

Palm Beach County Zoning Ordinance No. 73-2, Section 500.21, subsection (E) requires the platting of each development phase in conformance with the requirements of the Palm Beach County Subdivision and Platting Regulation Ordinance.

The Palm Beach County Site Plan Review Committee must approve each development phase plat prior to its submission to the Board of County Commissioners. The Site Plan Review Committee will assure that sufficient potable water supply capacity exists to meet the need of the dwelling units approved in each particular development phase (as is specifically required by Section XV entitled "Central Water System," of the Subdivision and Platting Regulations of Palm Beach County). The Site Plan Review Committee will include this assurance in its official approval letter to the Board of County Commissioners. An informational copy of said letter will be forwarded to the South Florida Regional Planning Council.



4.. Transportation Systems. The Board of County Commissioners of Palm Beach County considered the project's area transportation system. The Board found that the external and internal impact on the area transportation system attributable to the project on a fair share basis would be adequately provided for by conditions 1 through 11 of Resolution No. 74-705 (Exhibit A) and the requirement of Article IX of the Subdivision and Platting Regulations of Palm Beach County (Ordinance 73-4) that all streets and related facilities necessary to serve the project be constructed by the Developer.

Palm Beach County Zoning Ordinance No. 73-2; Section 500.21, subsection (E) requires the platting of each development phase in conformance with the requirements of the Subdivision and Platting Regulation Ordinance.

The Palm Beach County Site Plan Review Committee must approve each development phase plat prior to its submission to the Board of County Commissioners. The Site Plan Review committee will assure that area roadways will be sufficient to sustain the traffic/density impact of the dwelling units approved in each particular development phase. The Site Plan Review Committee will include this assurance in its official approval letter to the Board of County Commissioners. An informational copy of said letter will be forwarded to the South Florida Regional Planning Council.

Be it Further Resolved that a copy of this Resolution No. R- providing clarification amendments to Resolution No. R-74-705 (Development Order) shall be transmitted to the State Land Planning Agency, the owner or developer (Petitioner) and a courtesy copy furnished to the South Florida Regional Planning Council,

The foregoing resolution was offered by Commissioner Medlen, 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	- Yes
E. W. Weaver	- Yes
Robert C. Johnson	- NO
Lake Lytal	- Yes
William Medlen	- Yes

The Chairman thereupon declared the resolution duly passed and adopted this 19th day of December, 1974, confirming action of 25 July 1974.



Approved as to Form and Legal Sufficiency

By

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By

G. Kate Brecher  
(Deputy Clerk)

FILED THIS 19th DAY OF  
December, 1974  
AND RECORDED IN RESOLUTION  
MINUTE BOOK NO. \_\_\_\_\_ AT  
PAGE \_\_\_\_\_, RECORD NUMBER  
JOHN B. DUNKLE, CLERK  
BY G. Kate Brecher D.C.