

RESOLUTION NO. R-78- 1118

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, 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, 78-168 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24 August 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 12th day of August, 1978, that petition No. 78-168 the petition of THEODORE BOLLT, GILBERT GOLDSTEIN and ROBERT D. WOLDOW by William R. Boose, Attorney, for the REZONING, FROM AG-AGRICULTURAL DISTRICT TO RE-RESIDENTIAL ESTATE DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on the Northwest 1/4 of Section 3, Township 47 South, Range 42 East; Subject to easements, reservations and rights-of-way of record. Said property located on the south side of Clint Moore Road, approximately one (1) mile west of Military Trail (S.R. 809), was approved as advertised subject to the following conditions:

1. Petitioner shall convey to Palm Beach County sixty (60) feet from the centerline of Powerline Road.
2. Petitioner shall convey to Palm Beach County a total of one hundred twenty (120) feet of right-of-way for the relocated Clint Moore Road. The alignment of this right-of-way shall be subject to the approval of the County Engineer.

3. Petitioner shall construct two (2) lanes on Powerline Road from existing Clint Moore Road to the relocated Clint Moore Road.
4. Petitioner shall construct two (2) lanes on relocated Clint Moore Road from Powerline Road to the project's main entrance road.
5. Petitioner shall, construct a left turn lane on the east approach at the intersection of existing Clint Moore Road and Powerline Road.
6. Petitioner shall dedicate a five (5) foot Limited Access Easement along the north property line to deny direct access from the lots north of relocated Clint Moore Road to Clint Moore Road.
7. Petitioner shall provide a Quit Claim Deed or an easement agreement, whichever the developer prefers, for the North 90.0 feet of the subject parcel for the required right-of-way for Lateral Canal No. 40, and for the South 30.0 feet of the subject parcel for required right-of-way.
8. The 3.2 acre Institutional site as shown on the Master Plan, Exhibit No. 13, on file in the office of the Director, Department of Planning, Zoning & Building, shall be donated to Palm Beach County at such time as the County deems it necessary to provide governmental services to the residents.
9. The petitioner shall enter into a formal agreement with the Palm Beach County School Board to contribute 0.4 of 1% of the gross sales price of each unit; provided, however, that should the County adopt a "Fair Share Contribution" Ordinance for school improvements, then the provisions of that ordinance shall supersede the requirement to donate the 0.4 of 1%, provided further that regardless of the status of any adopted ordinance the petitioner shall be required to comply with the immediate Fair Share Contribution of 0.4 of 1% or the adopted ordinance.

Commissioner Medlen moved for approval of the petition.

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

Peggy Evatt, Chairman	-	Yes
Bill Bailey, Vice Chairman	-	Absent
Lake Lytal		Yes
William Medlen	-	Yes
Dennis Koehler	-	Absent

