

RESOLUTION NO. R- 1769

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. 79-269 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 29 November 1979; 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, the Board of County Commissioners made the following findings of fact:

1. The proposal would be in harmony and compatible with the present and future development of the area concerned
2. The proposal would be consistent with the needs of the County for land areas for specific purposes to serve population and economic activities

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 29th day of November, 1979, that Petition No. 79-269 the petition of PROMPT INVESTMENTS, IMC., by Richard D. Pritts, Agent, for THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on (TRACT I) that part of Lot 4, Tract 40, Palm Beach Farms Company Plat No. 13, in Township 44 1/2 South, Range 42 East, as recorded in Plat Book 6, page 99, described as follows: Beginning at the Northeast corner of said Lot 4, thence South 19°30'32" East along

the East line of said Lot 4, a distance of 1280.12 feet to the Southeast corner of said Lot 4, thence South 89°41'54" West along the South line of said Lot 4, a distance of 515.11 feet to a point, thence North 18°51'38" West a distance of 1295.38 feet to the North line of said Lot 4, which point is in the center line of Lantana Road, thence South 88°08'06" East along the North line of said Lot 4, a distance of 506.62 feet to the Point of Beginning. EXCEPT the North 40.0 feet for Lantana Road. (TRACT II) That part of said Lot 4, Tract 40, Palm Each Farms Company, Plat No. 13, in Township 44 1/2 South, Range 42 East, as recorded in Plat Book 6, page 99, described as follows: Beginning at a point in the north line of said Lot 4, a distance of 337.5 feet East to the Northwest corner of said Lot 4, thence South 18°13'36" East along a line parallel to the West line of said Lot 4, a distance of 1310.80 feet to the South line of said Lot 4, thence North 89°41'54" East along said South line a distance of 515.11 feet to a point, thence North 18°51'38" West a distance of 1295.38 feet to a point in the North line of said Lot 4, thence North 88°08'06" West along said North line a distance of 506.61 feet to the Point of Beginning (LESS the North 40.0 feet thereof for Right-of-way for LANTANA ROAD) LESS the Southerly 423.0 feet thereof which said Southerly 423.0 feet is measured parallel to the Southerly line thereof. SUBJECT TO an easement for road purposes over the East 10.0 feet of the Northerly 872.38 feet (LESS the Right-of-way for Lantana Road) of the above described TRACT as recorded in Official Record Book 2963, page 1242. Said property located on the south side of Lantana Road (S.R. 812), approximately 600 feet east of Florida's Turnpike, was approved as advertised subject to the following conditions:

1. Petitioner shall convey to Palm Beach County fifty-four (54) feet from centerline for the ultimate right-of-way for Lantana Road.
2. Petitioner shall align the main access drive with the Bentbrook Subdivision to the north.
3. Petitioner **shall** construct a left turn lane, east approach, on Lantana Road at the project's main entrance.

4. Petitioner shall not be allowed a median section on the project's main access road.
5. Petitioner shall submit a comprehensive drainage report, prior to Site Plan approval, to determine the effect that this development will have on drainage on abutting properties.
6. Petitioner shall enter into a formal contract with the School Board of Palm Beach County to contribute four-tenths (4/10) of one percent (1%) of the selling price of each residential dwelling unit in this planned unit development on a one time initial sales basis. However, if an ordinance dealing with this subject matter is adopted, this condition will be superseded by that ordinance; except that regardless of the form or status of any ordinance, this development shall be required to provide as a minimum the above 4/10ths of 1% of the initial sales price toward alleviating some of the development's school impact.
7. Petitioner shall contribute Fourteen Thousand Four Hundred Dollars (\$14,400.00) towards the **cost** of meeting this project's direct and identifiable traffic impact, to be paid at the time of issuance of a building permit(s). This condition shall fulfill the developer's requirement according to the "Fair Share Contribution for Road Improvements" Ordinance No. 79-7. This fee shall be determined and calculated as follows:

Townhouse Apartments \$200.00/d.u;

8. Petitioner shall convey the South 25.00 feet of that portion of Lot 4, Tract 40, Palm Beach Farms Company Plat No. 13 as recorded in Plat **Book** 6, page 99 encompassed by the property described in the petition. Said 25 feet is for the right-of-way for Lateral Canal No. 16. The Lake Worth Drainage District will accept a Quit Claim Deed or an Easement, on our form, whichever the owner prefers.

Commissioner Evatt , moved for approval of the petition.

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

Bill Bailey, Chairman	-	Absent
Dennis Koehler, Vice Chairman	-	Absent
Peggy B. Evatt, Member	-	Yes
Frank H. Foster, Member	-	Yes
Norman R. Gregory, Member	-	Yes

The foregoing **resolution** was declared duly passed and adopted
this 18th day of December, 1979, confirming action of
29 November 1979.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Breth Van Otter*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
County Attorney

