

RESOLUTION NO. R-80-230

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. 79-286 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24 January 1980; 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 promote such distribution of population and such classification of land uses, development and utilization as will tend to facilitate and provide adequate provisions for public requirements, including but not limited to transportation, water **flowage**, water supply, drainage, sanitation, educational opportunities, recreation, soil fertility and food supply
3. The proposal would not be disruptive to the character of the neighborhoods or adverse to playgrounds, parks, schools and recreation areas

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 24th day of January, 1980, that Petition No. 79-286 the petition of CENTEX HOMES, INC., by Raymond W. Royce, Attorney, for THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on the East 1/2 of Section 34, Township 44 South, Range 42 East, less the West 1127.70 feet of the Northeast 1/4 of said Section 34; less a parcel in the Southwest corner thereof, bounded as follows: On the East by a North-South line 1371.61 feet East of the centerline of Jog Road, on the South by the centerline of Lantana Road; on the North by an East-West line 1367.44 feet North of the centerline of Lantana Road; and on the West by the centerline of Jog Road; less the East 100.00 feet of said Section 34; and less the existing rights-of-way of Jog and Lantana Roads as now laid out and in use; Subject to those easements conveyed to the Lake Worth Drainage District as recorded in Official Records Book 2883, page 1654. Said property located on the north side of Lantana West Road (S.R. 812) and on the east side of Jog Road (65th Avenue South) and being bounded on the north by Lake Worth Drainage District Lateral Canal #14, 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 convey to Palm Beach County eighty (80) feet from centerline for the ultimate right-of-way for Jog Road.
3. Petitioner shall construct:
 - a. Right turn lane, east approach, on Lantana Road at the access drive.
 - b. Left turn lane, west approach, on Lantana Road at the access drive.
 - c. Left turn lane, east approach, on Lantana Road at Jog Road.
 - d. Left turn lane, west approach, on Lantana Road at Jog Road.
 - e. Left turn lane, north approach, on Jog Road at Lantana Road.
 - f. Left turn lane, north approach, on Jog Road at main access road.
 - g. Right turn lane, south approach, on Jog Road at main access road.
 - h. Right turn lane, south approach, on Jog Road at the northernmost access drive.
 - i. Main access drive on Lantana Road to have two lanes entering and two lanes exiting.

- j. Main access drive on Jog Road to have one lane entering and two lanes exiting.
 - k. Northernmost access point to have one lane entering and two lanes exiting.
4. Petitioner shall construct signals:
 - a. at the intersection of the main access drive and Lantana Road,
 - b. at the intersection of Lantana Road and Jog Road, when warranted, as determined by the County Engineer.
 5. Petitioner shall relocate the north multifamily pod to north of main entrance on Jog Road prior to Site Plan approval.
 6. Petitioner shall contribute One Hundred Eighty-five Thousand Five Hundred Seventy-five Dollars (\$185,575.00) toward 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). The fee schedule for this project has been calculated in accordance with Ordinance 79-7 as follows:

Single Family	\$255.00/d.u.
Multifamily	170.02/d.u.
General Commercial	0.65/sq. ft.

However, regardless of the present or future status of this Ordinance, this development shall be required to provide the above One Hundred Eighty-five Thousand Five Hundred Seventy-five Dollars (\$185,575.00) toward alleviating some of its direct and identifiable traffic impact.

7. 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.
8. Petitioner must dedicate the civic site to Palm Beach County, without cost, at the time of the filing of the first plat.

Commissioner Gregory, 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:

Dennis Koehler, Chairman		Yes
Frank Foster, Vice Chairman	-	Yes
Bill Bailey, Member		Yes
Norman R. Gregory, Member	-	Yes
Peggy B. Evatt, Member		No

The foregoing resolution was declared duly passed and adopted this 12th day of February, 1980, confirming action of 24 January 1980,

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: [Signature]
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
County Attorney

