

RESOLUTION No. R-80-1226

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. 80-130 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28 August 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 be consistent with the needs of the County for land areas for specific purposes to serve population and economic activities
3. The proposal would not be disruptive to the character of the neighborhoods or adverse to playgrounds, parks, schools and recreation areas
4. The proposal would not be adverse to the promotion of the public health, safety, comfort, convenience, order, appearance, prosperity or general welfare

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 28th day of August, 1980, that Petition No. 80-130 the petition of HIDDEN LAKES OF DELRAY, INC., by Anne Booth, Agent, for the FURTHER SPECIAL EXCEPTION TO ALLOW THE EXPANSION OF A PLANNED UNIT DEVELOPMENT, KNOWN AS HIDDEN LAKES, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 77-85, on Tract 84, Block 9, Palm Beach Farms Co. Plat No. 1, in Section 9, Township 46 South, Range 42 East, as recorded in Plat Book 2, page 26. Said property located on the north side of 137th Place South, approximately .3 mile east of Florida's Turnpike, was approved as advertised subject to the following conditions:

1. Petitioner shall contribute One Thousand Two Hundred Dollars (\$1,200.00) or Three Hundred Dollars (\$300.00)/ dwelling unit toward the cost of meeting this project's direct and identifiable traffic impact to be paid at the time of issuance of the building permit(s).
2. 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.
3. The developer will take reasonable precautions during the development of this project to insure that fugitive particulates (dust particles) from the project do not become a nuisance to neighboring properties.

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	-	Aye
Frank Foster, Vice Chairman	-	Aye
Bill Bailey, Member	-	Absent
Norman R. Gregory, Member	-	Aye
Peggy B. Evatt, Member	-	Aye

The foregoing resolution was declared duly passed and adopted
this **16th** day of September, 1980, confirming action of
28 August 1980.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk -

By: *Ruth Ann Atkinson*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

Charles F. Schoech
County Attorney

