

RESOLUTION NO. R-80-1417

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. 80-183 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 25 September 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 not be disruptive to the character of the neighborhoods or adverse to playgrounds, parks, schools and recreation areas
3. 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 25th day of September, 1980, that Petition No. 80-183 the petition of BOCA DEL MAR ASSOCIATES for a SPECIAL EXCEPTIOM TO ALLOW THE MODIFICATION TO AN EXISTING PLANNED UNIT DEVELOPMENT KMOVN AS BOCA DEL MAR NO. III, PREVIOUSLY APPROVED UNDER PETITION NO. 78-45 on Tract 73, Boca Del Mar No. 7, in Section 34, 35, Township 47 South, Range 42 East, as recorded in Plat Book 30, pages 210-217, LESS: Commencing at the North 1/4 corner of Section 35; thence with a bearing of South 2°13'07" East, along the North-South 1/4 line of Section 35, a distance of 1269.43 feet to a point; thence with a bearing of South 89°32'51" West, a distance of 2732.89 feet to a point; thence with a bearing of South 89°36'55" West, a distance of 188.85 feet to the Point of Beginning; thence continue along the aforementioned course a distance of 235.85 feet to a point; thence with a curve to the right having a radius of 25.00 feet, an arc length of 39.27 feet to a point; thence with a bearing of North 0°23'05" West, a distance of 418.00 feet to a point; thence with a bearing of South 89°36'55" West, a distance of 260.85 feet to a point; thence with a bearing of South 0°23'05" East, a distance of 418.00 feet more or less to the Point of Beginning. Said property located on the north side of S.W. 18th Street, approximately .2 mile west of Military Trail (S.R. 809) in an RS-Residential Single Family District, was approved as advertised subject to the following conditions:

1. Petitioner shall construct at the project's east entrance and S.W. 18th Street:
 - a. Left turn lane, west approach
 - b. Two lanes exiting and one lane entering
2. Petitioner shall construct at the project's west entrance and S.W. 18th Street two lanes exiting and one lane entering.

3. Petitioner shall construct at the project's entrance and Palm D'Oro Road:
 - a. Left turn lane, east approach, on Palm D'Oro Road
 - b. Two lanes exiting and one lane entering
4. Petitioner shall contribute Three Hundred Dollars (\$300.00) /Single-Family dwelling unit and Two Hundred Dollars (\$200.00)/Multifamily 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 first 35 building permits after Site Plan approval.
5. Petitioner shall enter into a formal agreement 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. This condition shall apply to the additional thirty-five (35) units approved as a part of the petition.

Commissioner Foster, moved for approval of the petition.

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

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

The foregoing resolution was declared duly passed and adopted this 14th day of October, 1980, confirming action of 25 September 1980.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: _____
 Deputy Clerk

APPROVE AS TO FORM
 AND LEGAL SUFFICIENCY

Charles F. ...

 County Attorney

