

RESOLUTION NO. R- 80-1726

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. 80-214 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 20 November 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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 20th day of November, 1980, that Petition No. 80-214 the petition of ALLSTATE INSURANCE COMPANY by Daniel H. Jones, Attorney, for a SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on Parcel 1 and Parcel 2 of Boca Grove, as recorded in Plat Book 32, pages 12 and 13, AND ALSO the East 9.50 feet of the Westerly 69.50 feet of the Southwest 1/4 in Section 16, Township 47 South, Range 42 East, lying South of State Road No. 808; AND ALSO a portion of Section 22, Township 47 South, Range 42 East, being more particularly described as follows: Commencing at the Northwest corner of said Section 22; thence South $00^{\circ}10'25''$ West along the West line thereof, a distance of 1277.91 feet to a Point on the North right-of-way line of an 80 foot road; thence North $89^{\circ}37'45''$ East along said North right-of-way line, as recorded in O.R. Book 2357, page 545, a distance of 30.68 feet to the Point of Beginning of this description; thence continue North $89^{\circ}37'45''$ East a distance of 5.51 feet to the Point of Curvature of a circular curve to the right; thence Easterly and Southerly along the arc of said curve having a radius of 386.54 feet, an arc distance of 217.31 feet to the Point of Tangency; thence South $58^{\circ}09'36''$ East a distance of 173.95 feet; thence North $77^{\circ}38'11''$ East a distance of 34.86 feet to the intersection with the arc of circular curve to the left whose radius point bears south $56^{\circ}34'03''$ East from the last described point, said point being further described as being on the Northerly right-of-way line of Jog Road, as recorded in O.R. Book 1799, page 1422; thence Southerly and Westerly, along the arc of said curve having a radius of 2313.88 feet, an arc distance of 128.62 feet; thence North $13^{\circ}57'22''$ West a distance of 34.86 feet; thence North $58^{\circ}09'36''$ West a distance of 173.95 feet to the Point of Curvature of a circular curve to the left; thence, Westerly and Northerly along the arc of said curve having a radius of 306.54 feet, an arc distance of 172.34 feet to the Point of Tangency; thence South $89^{\circ}37'45''$ West a distance of 4.89 feet

to a point on the Easterly line of said 80 foot road; thence North 00°48'57" West, along said Easterly line, a distance of 80.00 feet to the Point of Beginning of this description. Said property located on the south side of Boca Raton Road West (S.R. 808) and bounded on the east by Powerline Road and on the west by Florida's Turnpike in an RS-Residential Single Family District, was approved as advertised subject to the following conditions:

1. Petitioner shall align the entrance to the Florida Turnpike with Sunrise Blvd. as determined by the County Engineer.
2. Petitioner shall construct at the intersection of Sunrise Blvd. and Glades Road per the County Engineer's approval:
 - a. left turn lane, north approach
 - b. right turn lane, north approach
 - c. left turn lane, south approach
 - d. right turn lane, south approach
 - e. left turn lane, east approach
 - f. right turn lane, east approach
 - g. left turn lane, west approach
 - h. right turn lane, west approach
 - i. contribute the cost of signal modifications as determined by the County Engineer.
3. Petitioner shall construct at the intersection of Jog Road and Powerline Road the project's proposed entrance road (Sunstream Blvd):
 - a. two lanes entering and two lanes exiting
 - b. left turn lane, south approach
 - c. signalization when warranted as determined by the County Engineer.
4. Petitioner shall contribute One Hundred Twenty-three Thousand Eight Hundred Dollars (\$123,800.00) 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). (4952 trips x \$25.00 per trip). (\$255.00 per dwelling unit).
5. 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.
6. The developer will employ measures to prevent run-off Of pollutants to any adjacent **or** nearby surface waters during the development of the property.

7. Petitioner must dedicate the civic site to Palm Beach County, without cost, within ninety (90) days of the filing of the first plat.
8. This petition shall be limited, upon approval, to 500 units.

Commissioner Gregory , 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:

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

The foregoing resolution was declared duly passed and adopted this 16th day of December, 1980 , confirming action of 20 November 1980.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Ruth Van Allen*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

Charles F. ...
County Attorney

