

RESOLUTION APPROVING ZONING PETITION 83-57, Special Exception

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 83-57 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28th April 1983, 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 proposed land use and density is within the limits set by the Comprehensive Plan and Zoning Code.
- 2 The proposed development would be compatible with the anticipated development of surrounding properties

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 28th day of April, 1983, that Petition No 83-57 the petition of PALMETTO 441 DEVELOPMENT CORPORATION By Richard Siemens, Agent, for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on a parcel of land lying in Block 78, Palm Beach Farms Company Plat No. 3, in Section 19, Township 47 South, Range 42 East, as recorded in Plat Book 2, Pages 45 thru 54, more particularly described as follows. From the Point of Beginning being the Southeast corner of Tract 48, Block 78, of said Palm Beach Farms Company Plat No. 3, thence South 89°37'02" West a distance of 330 00 feet; thence South 00°22'58" East a distance of 690 00 feet, thence North 89°37'02" East a distance of 330 00 feet, thence South 00°22'58" East a distance of 660 00 feet,

thence South ~~89°37'02"~~ West a distance of ~~2618.27~~ feet; thence North 00°53'32" West a distance of 535.00 feet, thence North 89°37'02" East a distance of 1041.16 feet to a point of curvature, thence 284.42 feet along the arc of a curve to the left having a radius of 362.13 feet, and a central angle of 45°00'00" to a point of tangency, thence North 44°37'02" East a distance of 178.00 feet to a point of curvature, thence ~~284.42 feet along the arc of a curve to the left~~ having a radius of 362.13 feet and a central angle of 45°00'00" to a point of tangency, thence North 00°22'58" West a distance of 355.92 feet to a point of curvature, thence 196.63 feet along the arc of a curve to the left having a radius of 350.00 feet, and a central angle of 32°11'19", thence departing from said curve on a radial line bearing North 57°25'43" East a distance of 255.35 feet, thence North 89°37'02" East a distance of 931.55 feet, thence South 00°22'58" East a distance of 351.37 feet to the Point of Beginning. Said property located on the east side of S R #7 (U S 441), and on the north side of 215th Street South, approximately 2 miles north of the Hillsboro Canal (Broward County Line), was approved as advertised subject to the following conditions --

- 1 The developer shall provide the construction plans for S R 7 as a 4-lane median divided section, compatible with the Department of Transportation typical section from north of Glades Road through Palmetto Park Road to include the appropriate tapers, per the County Engineer's approval. ~~These plans shall be completed within 6 months of Special Exception approval or prior to the acceptance by Palm Beach County of the improvements within the residential P U D pod, whichever first occurs~~
- 2 The developer shall acquire 200 feet of right-of-way for S.R. 7 west of the west right-of-way line of Lake Worth Drainage District E-1 Canal, from north of Glades Road through Palmetto Park including the additional tapers which will be required for the road construction for S R 7 as outlined in Condition No. 1, above. This right-of-way shall be acquired within 12 months of Special Exception approval and in no event later than the issuance of the 101st Certificate of Occupancy
- 3 The developer shall construct S.R. 7 as a 4-lane median divided section from north of Glades Road through Palmetto Park Road to include the appropriate tapers, per the County Engineer's approval. This road construction shall be complete within two years (2) of Special Exception approval or prior to the acceptance by Palm Beach County of the improvements within the residential P.U.D., pod, whichever first occurs. The construction shall include an asphalt overlay of the two existing lanes on S.R. 7 if required by the County Engineer.
- 4 The developer shall construct at the project's north and south entrance onto S.R. 7 concurrent with the 4-laning of S R 7
 - a) left turn lane, north approach
 - b) right turn lane, south approach

5. ~~The developer shall install signalization at the intersection of S.R. 7 at both the north and south entrances when warranted as determined by the County Engineer, but shall be no later than five (5) years after the issuance of the final Certificate of Occupancy.~~
6. The above conditions are designed to mitigate the impact of a total of 14,036 external trips, as submitted by the applicant's Traffic Engineer. Any additional approvals for the area contained in Petition No 83-57 which do not generate in excess of 14,036 total external trips shall
 - a) not require any construction beyond that required by condition 3 above in order to meet the traffic performance standards; and
 - b) receive credit for the impact fee based upon the required road improvements.
7. ~~The developer shall take reasonable precautions during the development of this property to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties~~
8. The developer shall take necessary measures during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters
9. The developer shall provide a restricted 25 foot buffer along the property's eastern property line which will not be incorporated into individual lot developments
10. The property owner shall convey to the Lake Worth Drainage District by either Quit Claim Deed or Drainage Easement the west 45 feet of that portion of Tract 71, Block 78, according to the plat of Palm Beach Farms Company Plat No 3, as recorded in Plat Book 2, Pages 45-54 inclusive for the right-of-way for Equalizing Canal No 1, together with the south 25 feet of that portion of Tracts 45, 46, 47, and 48 and the North 25 feet of that portion of Tracts 66, 67 and 68 of said same Block 78 for the right-of-way for Lateral Canal No 47.

Commissioner Bailey, moved for approval of the petition

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

Peggy E. Evatt, Chairman	-	AYE
Ken Spillias, Vice Chairman	-	AYE
Dennis P. Koehler, Member	-	AYE
Dorothy Wilken, Member	-	ABSENT
Bill Bailey, Member	-	AYE

The foregoing resolution was declared duly passed and adopted

this 19th day of July, 1983, confirming action of 28th April 1983.

BOOK 297 PAGE 409 PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, CLERK

APPROVE AS TO FORM AND LEGAL SUFFICIENCY THIS

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BY Lisa P. Hoff DEPT OF July 1983 Deputy Clerk

AND RECORDED IN RESOLUTION

John B. Dunkle County Attorney MINUTE BOOK NO

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