

RESOLUTION NO. R-85-255

RESOLUTION APPROVING ZONING PETITION 84-119, 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. 84-119 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 27th of September 1984; 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 is consistent with the requirements of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 27th of September 1984, that Petition No. 84-119 the petition of REGINA INVESTMENT INC. By James R. Brindell, Attorney, for SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on the South 1/2 of the Northwest 1/4 of Section 16, Township 46 South, Range 42 East. Said property located on the west side of Hagen Ranch Road, approximately .4 mile north of Delray West Road (Atlantic Avenue) being bounded on the west by Lake Worth Drainage District Equalizing Canal No. 2 was approved as advertised subject to the following conditions:

1. The developer shall convey to the Lake Worth Drainage District the required right-of-way for Equalizing Canal No. E-2-E and Lateral Canal No. 33, by quit claim deed or an easement deed in the form provided by said district,
2. Reasonable precautions shall be exercised during site development

to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.

3. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.

4. This development shall retain on-site the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 73-4, as amended.

5. The developer shall construct a left turn lane south approach and right turn lane north approach at the time of the construction of the project's entrance road onto Hagen Ranch Road.

6. The property owner shall provide Palm Beach County with a road drainage easement through this project's internal lake system to legal positive outfall for the road drainage of Hagen Ranch Road. This drainage easement shall be subject to all governmental agency requirements.

7. The developer shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. Presently the Fair Share Fee for this project is:

\$300.00 per approved single family unit and,

\$200.00 per approved multi-family unit.

8. The petitioner shall provide emergency access from the townhouse pod to patio homes pod. Such access shall be indicated on the master plan prior to certification by Site plan Review committee.

Commissioner Koehler , 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:

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

The foregoing resolution was declared duly passed and adopted this day of ~~FEB 19 1985~~ confirming action of the 27th of September 1984.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Patricia S. Blaine
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Sandy Sprague
County Attorney

