

RESOLUTION APPROVING ZONING PETITION **DOA74-81(A)**  
DEVELOPMENT ORDER AMENDMENT  
PETITION OF FOX PROPERTIES VENTURE

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, 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 Article 5 of the Palm Beach County Land Development Code, have been satisfied: and

WHEREAS, Zoning Petition **DOA74-81(A)** was presented to **the** Board of County Commissioners at a public hearing conducted on April 28, 1994; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, this approval is subject to Article 5, section 5.8 (Compliance with Time Limitations), of the Palm Beach **County** Land Development Code and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This Development Order Amendment is consistent with the Palm Beach County Comprehensive Plan.
2. This Development Order Amendment complies with relevant and appropriate portions of Article 6, Supplementary Use Standards of the Palm Beach County Land Development Code.
3. This Development Order Amendment is consistent with the requirements of the Palm Beach County Land Development Code.
4. This Development Order Amendment, with conditions as adopted, is compatible as defined in the Palm Beach county Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
5. This Development Order Amendment, with conditions as adopted, complies with standards imposed on it by applicable provisions of the Palm Beach County Land Development Code for **use**, layout, function, and general development characteristics.
6. This Development Order Amendment meets applicable local land development regulations.
7. This Development **Order** Amendment, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
8. This Development Order Amendment has a concurrency exemption and therefore complies with Art. 11 (Adequate Public Facility Standards) of the Palm Beach County Land Development Code.

9. This Development Order Amendment, with conditions as adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
10. This Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.

WHEREAS, Article 5 of the Palm Beach County Land Development Code requires that the action 'of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Petition **DOA74-81(A)**, the petition of Fox Properties Venture, for a DEVELOPMENT ORDER AMENDMENT in the Single Family Residential (RS) Zoning District, to redesignate residential pod to civic (school site), previously approved on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located on a vicinity sketch as shown on EXHIBIT B, attached hereto and made a part hereof, was approved on April 28, 1994, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Aaronson moved for the approval of the Resolution.

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

Mary McCarty, Chair	--	Absent
Burt <b>Aaronson</b>	--	<b>Aye</b>
Ken Foster	--	Absent
Maude Ford Lee	--	<b>Aye</b>
Xaren T. Marcus	--	<b>Aye</b>
Warren Newell	--	<b>Aye</b>
Carol A. Roberts	--	Absent

The Chair thereupon declared that the resolution was duly passed and adopted this 28th day of April, 1994.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:

  
COUNTY ATTORNEY

BY:

  
DEPUTY CLERK

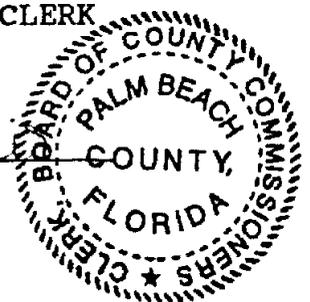


EXHIBIT A

LEGAL DESCRIPTION

~~LEGAL DESCRIPTION~~

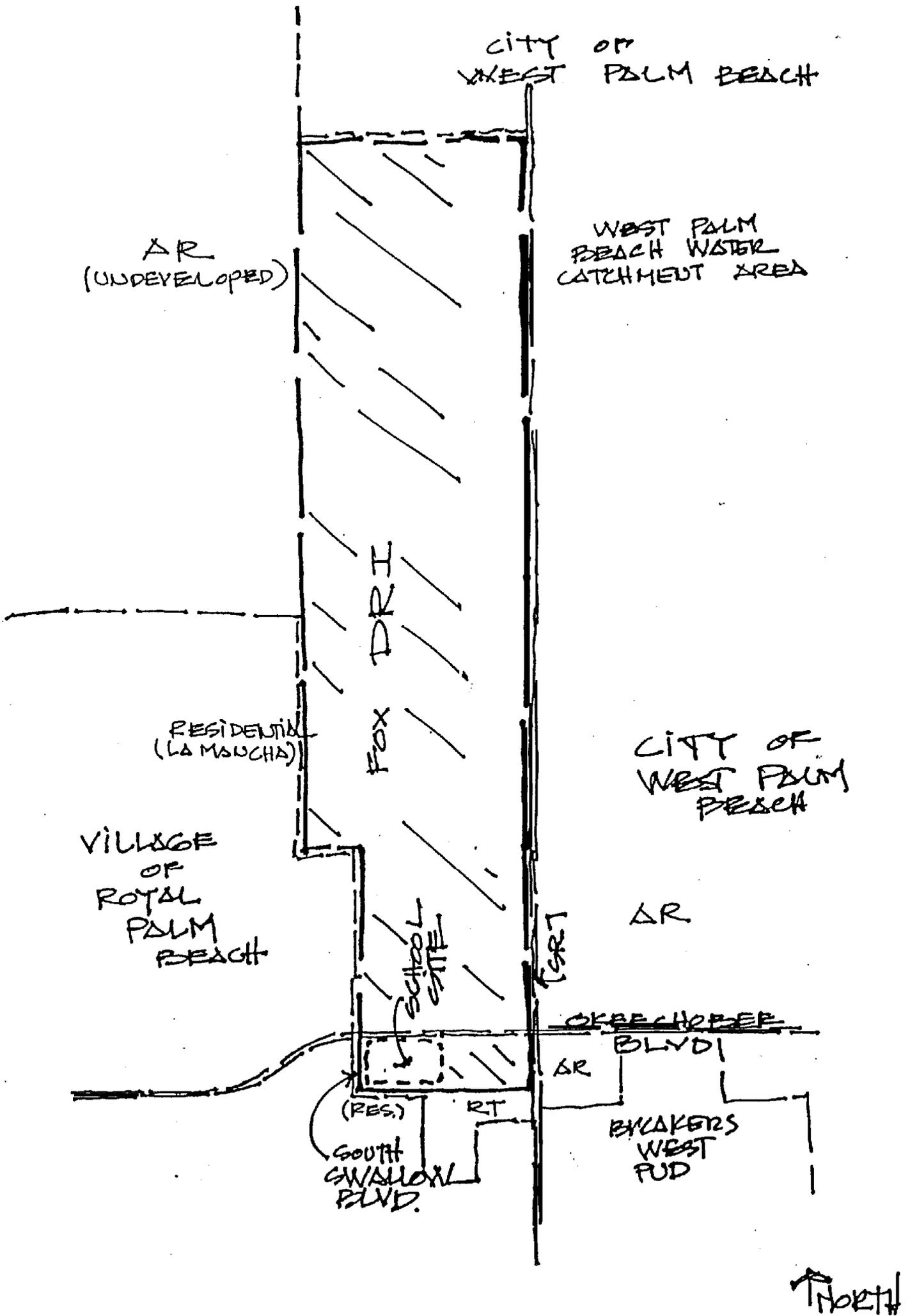
EXHIBIT A TO SETTLEMENT AGREEMENT

Sections 12 and 13, Township 43 South, Range 41 East, (less and except the East 200 feet of said Sections 12 and 13); and the East 3/4 of Section 24 Township 43 South, Range 41 East (less and except the portion thereof conveyed to Palm Beach County for the road right-of-way for Okeechobee Road and also less and except a strip of land abutting the East side of said Section 24, said strip being 98.73 feet wide at the South end and 200 feet wide at the North end), all of said lands being in Palm Beach County, Florida.

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EXHIBIT B  
VICINITY SKETCH



**EXHIBIT C**

**CONDITIONS OF APPROVAL**

**A. GENERAL**

1. The petitioner shall comply with all previous conditions of approval contained in Resolution R-74-699 and the Final Order No. LW-93-037 for the State of Florida Land and Water Adjudicatory Commission Stipulated Settlement Agreement for FLWAC Case No. **74-18** and **DOAH** Case No. 77-0846, unless expressly modified. (MONITORING)
2. To ensure compliance with the requirements of the Village of Royal Palm Beach, prior to site plan certification of the School Site (parcels 1 and 2) by the Development Review Committee, the School Board shall meet with the Village of Royal Palm Beach to review and discuss the proposed development plan. (ZONING)

**E. ENGINEERING**

1. Palm Beach County School Board shall construct:
  - a) right turn lane, west approach on Okeechobee Boulevard at project's entrance road;
  - b) right turn lane, south approach on South Swallow Drive at Okeechobee Boulevard; and
  - c) left turn lane, north approach on Swallow Drive at the projects entrance(s).

The construction shall be concurrent with the paving and drainage improvements for the school site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but not **limited to**, utility relocations and acquisition of any additional required right-of-way. Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. Construction shall be completed prior to the opening of the school. (BUILDING • Engineering).

2. Palm Beach County School Board shall fund the installation of signalization if warranted by the County Engineer at the proposed high school's east entrance & Okeechobee Boulevard. Should signalization not be warranted after 12 months after the opening of the school facility, Palm Beach County School Board shall be relieved from this condition. Funding shall be completed within 60 days notice by the County Engineer. The entrance to the high school's east entrance onto Okeechobee Boulevard shall align with the main entrance road to the Fox PUD. (ENGINEERING).
3. Prior to issuance of a Building Permit by the Department of Education, the petitioner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to landscape all adjacent median of Okeechobee Boulevard. When permitted by Palm Beach County Department of Engineering and Public Works, landscaping shall consist of a minimum of one (1) fourteen (14) foot tall native tree for each thirty (30) linear feet of the adjacent median to be planted and appropriate ground cover. Trees may be planted singly or in clusters. All landscaping and maintenance shall be subject to the standards as set forth by the Palm Beach County Engineering and Public Works Department. All landscape material shall be selected for the following list:

Trees :

Laurel Oak  
Live Oak  
Slash Pine  
Sabal Palmetto

Ground cover:

Wedilia  
Bahia Grass

Alternative species may be allowed subject to approval by the County Engineer. All plant material shall be installed and selected according to xeriscape principles and shall conform with the following:

- a) All plants shall be container grown or field collected and transplanted from the project site.
  - b) All plantings shall be done in accordance with detailed planting plans and specifications to be submitted and approved by the County Engineer concurrent with Site Plan certification. (BUILDING/ENGINEERING)
4. All required median landscaping, including watering, shall be the perpetual maintenance obligation of the petitioner and its successors, legal heirs or assignees, and shall be installed on or before **completiton** of the School. (BUILDING/ENGINEER - Zoning)