

RESOLUTION NO. R-74-132

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, and Chapter 70-863, Laws of Florida, Special Acts of 1970, 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. 74-8 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24 January 1974.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 24th day of January, 1974, that petition No. 74-8, the petition of THE FOGELSON COMPANIES, INC., by F. Martin Perry, Attorney, for a SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on the West 3/4 of the South 1/4 of the Northwest 1/4 of Section 13, Township 43 South, Range 42 East, less right-of-way for Haverhill Road, being the West 50 feet, and right-of-way for drainage canal, being the North 35 feet; and an easement over the South 30 feet of the North 65 feet of the East 1/4 of the South 1/4 of the Northwest 1/4 of Section 13, Township 43 South, Range 42 East, for the purposes of building and maintaining a road for ingress and egress; also the North 3/4 of the Northwest 1/4 of Section 13, Township 43 South, Range 42 East, less right-of-way for Haverhill Road, being the West 50 feet, right-of-way for Roebuck Road, being the North 40 feet; right-of-way

for Military Trail, being the East 55 feet, and the drainage canal right-of-way, being the South 50 feet, and the West 1/2 of the East 1/2 of the Southwest 1/4 of Section 13, Township 43 South, Range 42 East, less the South 1815 feet thereof; also, the South 1/2 of the South 1/2 of the Northwest 1/4 and all of the Southwest 1/4 excepting therefrom the West 1/2 of the Northwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 12, Township 43 South, Range 42 East. Said property located approximately 1 mile south of 45th Street and bounded on the east by Military Trail (S.R. 809) and on the west by Haverhill Road in an RS-Residential Single Family District, was approved as advertised, subject to the following special conditions:

- 1) The developer shall submit written approval of drainage from Central & Southern Florida Flood Control District;
- 2) The density cap shall not exceed 5.44 dwelling units per gross acre;
- 3) The developer shall construct at his expense sewer and water facilities, which shall upon completion, be deeded to Palm Beach County for maintenance and operation;
- 4) The institutional property shall be relocated as required by the staff;
- 5) The developer shall construct at his expense the left and right turn lanes on Military Trail at the three (3) project entrance points;
- 6) The developer shall construct at his expense the two (2) lane west approach at Military Trail on the three (3) project entrance roads;
- 7) The developer shall construct at his expense the left and right turn lanes on Haverhill Road at Roebuck Road;

- 8) The developer shall construct at his expense the left turn lanes on Haverhill Road at the north and south project entrance roads;
- 9) The developer shall construct at his expense the two (2) lanes on the east approach of Haverhill Road at Roebuck Road;
- 10) The developer shall install at his expense signalization of the intersection of Roebuck Road and Military Trail when required by traffic volume;
- 11) If required by traffic volume, the developer shall install at his expense signalization of the north and south development entrances at Military Trail.

The foregoing resolution was offered by Commissioner Weaver , who moved its adoption. The motion was seconded by Commissioner Lytal , and upon being put to a vote, the vote was as follows:

Robert F. Culpepper	- aye
Lake Lytal	- aye
E. W. Weaver	- aye
Robert C. Johnson	- aye
George V. Warren	- aye

The Chairman thereupon declared the resolution duly passed and adopted this 12th day of February , 1974, confirming Board. action of January 24, 1974.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By Marjorie B. Jennings
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

Michael B. Small
Michael B. Small
County Attorney