

RESOLUTION NO. R-75- 863

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. 75-151 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 20 November 1975.

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, 1975, that petition No. 75-151, the petition of JAMES P. MILEY, TRUSTEE, by Robert B. Cook, Attorney, for the REZONING, FROM AG-AGRICULTURAL DISTRICT TO RS-RESIDENTIAL SINGLE FAMILY DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on the East 1/4 of the Northeast 1/4 of Section 10, Township 46 South, Range 42 East, Less and Excepting Therefrom the North 160 feet thereof; and the East 30 feet of the Southeast 1/4, Less Lake Worth Drainage District rights-of-way as per records of Lake Worth Drainage District, and Less the South 15 feet **for** road right-of-way, all being in Section 10, Township 46 South, Range 42 East. The Southeast 1/4 of Section 10, Less the West 1/4 of the Northwest 1/4 of the Southeast 1/4, also Less the West 1/2 of the Southwest 1/4 of the Southeast 1/4, also Less the Southeast

1/4 of the Southeast 1/4 of the Southeast 1/4, also Less the East 30 feet of the Southeast 1/4 of Section 10, Township 46 South, Range 42 East. The Southeast 1/4 of the Southeast 1/4 of the Southeast 1/4 of Section 10, Township 46 South, Range 42 East. The West 3/4 of the Northwest 1/4 of the Northwest 1/4 and the West 3/4 of the Southwest 1/4 of the Northwest 1/4, all lying in Section 14, Township 46 South, Range 42 East, Less the North 60.0 feet thereof for the right-of-way of Lake Worth Drainage District Canal No. 32 and Less rights-of-way 25.0 feet in width along the Section line, quarter section line, and North 40 acre line for ditch and public road purposes as recorded. The East 1/2 of the Northwest 1/4 of the Southwest 1/4, and that part of the West 177 feet of the Northeast 1/4 of the Southwest 1/4 of Section 14, Township 46 South, Range 42 East, lying North of the right-of-way of State Road No. S806 (Delray West Road), Less the North 80 feet thereof for right-of-way for Lake Worth Drainage District Lateral Canal No. 33. Starting at a point at the Southwest corner of Section 14, Township 46 South, Range 42 East, going Northerly a distance of 260.42 feet to a Point of Beginning; thence Northerly along the West line of Section 14, a distance of 1082.37 feet; thence Easterly and parallel to the South line of Section 14, a distance of 1348.59 feet; thence Southerly to the North right-of-way of State Road No. 806, a distance of 38.5 feet; thence Southwesterly along the North right-of-way of State Road No. 806, a distance of 1721.49 feet to the Point of Beginning. All in Section 14, Township 46 South, Range 42 East. All that portion of the Southeast 1/4 of the Southwest 1/4 of said Section 14, Township 46 South, Range 42 East, lying North of the North right-of-way line of Florida State Road No. 806 as shown on sheet three of seven sheets of the Right-of-way Map thereof recorded in Road Plat Book 3 on pages 24 through 30, inclusive, Palm Beach County, Public Records. Said property located on the north side of Delray West Road (S.R. 806) approximately 1/4 mile west of Sims Road and extends north to L.W.D.D. Lateral Canal No. 30, was approved as advertised, subject to the following special conditions:

1. The petitioner, as he represented at the public hearing, shall reduce the density by five hundred (500) units in the Villadelray Planned Unit Development, which was approved at Public Hearings on 9/16/71 & 10/21/71, by the concurrent filing of an amended Master Plan at the Board of County Commissioners' meeting, sitting as the final zoning authority on November 20, 1975.
2. Developer shall dedicate the following rights-of-way to Palm Beach County:
  - a) Sixty (60) feet from the centerline of Delray West Road.
  - b) Eighty (80) feet for Sims Road.
  - c) Eighty (80) feet from Lake Worth Drainage District Lateral Canal No. 30, south to Sims Road and forty (40) feet from Sims Road south to Lake Worth Drainage District Lateral Canal No. 33, for El Clair Ranch Road.
  - d) One hundred eight (108) feet for Flavor Pict Road.
  - e) Eighty (80) feet for Via Delray.
3. Developer shall construct Flavor Fict Road as a four (4) lane, divided facility through the project to Military Trail, if right-of-way is available.
4. Developer shall construct Via Delray, as an expandable two (2) lane, paved facility from the property's west boundary to Military Trail.
5. Developer shall construct Sims Road within the confines of the project as an expandable, two (2) lane, paved facility.
6. Developer shall construct El Clair Ranch Road as an expandable, two (2) lane, paved facility within the confines of the development.
7. Via Flora shall be designed to facilitate the necessary traffic volume and turning movements.

8. Developer shall provide signalization where warranted, as outlined by the Traffic Impact Analysis, prepared by Kimley-Horn, Zoning Exhibit No. 8.
9. The commercial tract "A" shall be limited to forty thousand (40,000) feet gross floor area per the Traffic Impact Analysis..
10. Turn lanes as shown on Figure 8 of the Traffic Impact Analysis for Villadelray, Exhibit No. 8, shall be constructed with the exception of the intersection of Via Flora and Delray West Road, where the following shall be constructed:
  - a) Dual left turn lane and a right turn lane on the north approach.
  - b) Right turn lane on the east approach.
  - c) Left turn lane on the west approach.
  - d) Signalization to be provided when required as determined by the Board of County Commissioners.
11. The maximum allowable density shall be 5.44 dwelling units per acre.

Commissioner **Medlen** , moved for approval of the petition. The motion was seconded by Commissioner **Johnson** , and upon being put to a vote, the vote was as follows:

E.W. Weaver	Yes
Lake Lytal	Yes
Robert F. Culpepper	Yes
Robert C. Johnson	Yes
William Medlen	Yes

The foregoing resolution was declared duly passed and adopted this 2d day of December , 1975, confirming action of 20 November 1975.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By *South Ann Ottewill*  
Deputy Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

*William D. Medlen*  
COUNTY ATTORNEY