

RESOLUTION NO. R-78-857

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, 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. 78-116 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 29 June 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 29th day of June, 1978; that petition No. 78-116 the petition of THE HAYDEN GROUP, INC., by F. Martin Perry, Attorney, for the REZONING, FROM AG-AGRICULTURAL DISTRICT TO RE-RESIDENTIAL ESTATE DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT INCLUDING THE EXCAVATION AND REMOVAL OF MUCK, SAND, ROCK, SHELL, SOIL, OR OTHER EXTRACTIVE MATERIALS AND SEWAGE TREATMENT FACILITIES, on West 3/4 of the North 1/2 of the Southwest 1/4 of the Northeast 1/4; the West 3/4 of the South 1/4 of the Northeast 1/4; the West 3/4 of the North 1/2 of the Southeast 1/4; the Northwest 1/4 of the Southwest 1/4 of the Southeast 1/4; the West 1/2 of the Southwest 1/4 of the Southwest 1/4 of the Southeast 1/4, less road right-of-way; the East 1/4 of the Southwest 1/4 of the Southeast 1/4, less road right-of-way; and the West 1/2 of the Southeast 1/4 of the Southeast 1/4, less road right-of-way, all of said descriptions relating to Section 22, Township 45 South, Range 42 East; and, Tracts 16 to 21 inclusive, Tract 22 less the North 110 feet thereof, Tracts 23 to 27 inclusive,

Tracts 29 to 34 inclusive, Tracts 36 to 38 inclusive, Tract 40, Tract 42, Tracts 43 to 47 inclusive, Tracts 48 to 51 inclusive, Tracts 52 to 55 inclusive, Tract 57 less South 40 feet for road right-of-way, and Tracts 59 to 63 inclusive less the South 30 feet for road right-of-way, all of said Tracts being in Block 48 of Palm Beach Farms Co. Plat No. 3 in said Section 22, as recorded in Plat Book 2, pages 45-54 inclusive. Said property located on the north side of Boynton Road (S.R. 804) and on the east and west sides of Jog Road, was approved as advertised subject to the following conditions:

1. Petitioner shall construct right turn lanes, east approach, on Boynton West Road at both of the development's southerly entrances and at the intersection at Jog Road.
2. Petitioner shall construct left turn lanes, north and south approaches, on Jog Road at intersections with both of the development's interior roads.
3. Petitioner shall pay the proportionate cost of signalization of the Boynton West Road and Jog Road intersection when warranted, as determined by the County Engineer.
4. The alignment of Jog Road through this development shall be approved by the County Engineer.
5. Petitioner shall convey to Palm Beach County sixty (60) feet from the centerline for Boynton West Road.
6. Petitioner shall contribute a fair share toward reducing the traffic impacts of the project as shall be determined by the County Engineer, said contribution not to exceed one hundred fourteen thousand dollars (\$114,000.00). Payment of said contribution shall be made at the time building permits are requested and shall be based upon the number of permits being requested; provided, however, that if the County adopts a "Fair Share Contribution" Ordinance for road impacts, the provisions of that Ordinance shall supersede this condition.
7. Petitioner shall provide the required right-of-way for the Boynton Beach Canal being the South 10.0 feet of the North 120.0 feet of Tracts 16 to 23 inclusive, Block 48, and the required right-of-way for the Boynton Canal as shown on Sheet 76 of 240 of the Required Right-of-Way Map for the Lake Worth Drainage District, less that right-of-way contained in Deed Book 118, page 518.
8. Petitioner shall provide the required right-of-way for Lateral Canal No. 23 as shown on Sheet 79 of 240 of the Required Right-of-Way Map for the Lake Worth Drainage District. The location of this right-of-way may be negotiated with the developer to better suit his plan.
9. Petitioner shall donate the equivalent of 0.4 of 1% of the final unit sales price to the Palm Beach County School Board for capital outlay purposes.

Commissioner Medlen, 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:

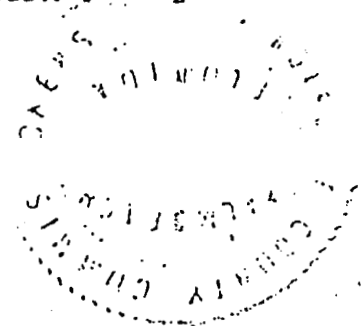
Peggy' Evatt, Chairman	-	Yes
Bill Bailey, Vice Chairman	-	Yes
Lake Lytal	-	Yes
William Medlen	-	Yes
Dennis Koehler	-	Yes

The foregoing resolution was declared duly passed and adopted this 18th day of July, 1978, confirming action of 29 June 1978,

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Quintin Charles Ottoboni*  
Deputy Clerk



APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

*Wesley Dill*  
County Attorney