

RESOLUTION NO. R-78-1416

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. 78-233 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 26 October 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 26th day of October, 1978, that petition No. 78-233 the petition of WALDO S. CARMICHAEL by John W. Ewseychik, Jr., Agent, for the REZONING, FROM AG-AGRICULTURAL DISTRICT TO RE-RESIDENTIAL ESTATE DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on Tracts 33 and 34, Block 11, Palm Beach Farms Co. Plat No. 3 in Section 5, Township 44 South, Range 42 East, according to Plat Book 2, pages 45 to 54. Said property located on the southwest corner of the intersection of Benoist Road (80th Avenue South) and 5th Street South, was approved as advertised subject to the following conditions:

1. Petitioner shall dedicate the streets in this subdivision as private roads. Said roads shall not be a maintenance responsibility of Palm Beach County unless paved to County standards.
2. Petitioner shall contribute two thousand one hundred dollars (\$2,100.00) toward the cost of meeting this project's direct and identifiable traffic impact, to be paid at the time of issuance of a building permit(s). However, if an ordinance dealing with this subject matter is adopted, this condition will be superseded by that ordinance; except that, regardless of the form or status of any ordinance, this development shall be required to provide as a minimum the above two thousand one hundred dollars (\$2,100.00) toward alleviating some of its traffic impacts.

3. Petitioner shall reclaim the lake area in accordance with the Subdivision Ordinance No. 73-4, as amended.
4. Petitioner shall provide the North 45.00 feet of Tracts 33 and 34 for the Right-of-Way for Lateral Canal No. 5, together with the East 55.0 feet of Tract 33 and an irregular parcel in the Southeast corner of Tract 33, as shown on the Lake Worth Drainage District Required Right-of-way Maps on file in the Office of the Clerk of the Circuit Court, for the right-of-way for Equalizing Canal No. E-2W. Said provisions shall be by Quit Claim Deed or an Easement Agreement, whichever the petitioner prefers.
5. Petitioner shall enter into a formal written contract with the Palm Beach County School Board to contribute four-tenths (4/10) of one percent (1%) of the selling price of each residential unit on a one-time initial sales basis. However, if an ordinance dealing with this subject matter is adopted, this condition will be superseded by that ordinance; except that, regardless of the form or status of any ordinance, this development shall be required to provide as a minimum the above 4/10ths of 1% of the initial sales price toward alleviating some of its school impacts.

Commissioner Lytal, moved for approval of the petition.

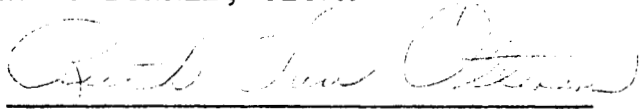
The motion was seconded by Commissioner Koehler, and upon being put to a vote, the vote was as follows:

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 7th day of November, 1978, confirming action of 26 October 1978.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: 
 Deputy Clerk

APPROVE AS TO FORM
 AND LEGAL SUFFICIENCY


 County Attorney

