

RESOLUTION NO. R-78- 1500

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. 78-262 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 30 November 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 30th day of November, 1978, that petition No. 78-262 the petition of ARVIDA CORPORATION, by William R. Boose, 111, Attorney, for the REZONING, FROM AG-AGRICULTURAL DISTRICT TO RM-RESIDENTIAL MULTIPLE FAMILY DISTRICT (MEDIUM DENSITY) AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on a parcel of land lying in the Northeast 1/4 of Section 23, Township 47 South, Range 42 East, being more particularly described as follows: Commencing at the Southeast corner of the Northeast 1/4 of said Section 23; thence South $89^{\circ}51'25''$ West, along the South line thereof, a distance of 247.50 feet; thence North $00^{\circ}35'30''$ West, along a line 247.50 feet West of, and parallel with, as measured at right angles to, the East line of said Northeast 1/4, a distance of 200.00 feet to the Point of Beginning of this description; thence South $89^{\circ}51'25''$ West, along a line 200.00 feet North of and parallel with as measured at right angles to, the South line of said Northeast 1/4, a distance of 2249.97 feet to the intersection with the arc of a

circular curve to the right whose radius point bears South 84°19'35" East from the last described point; said point being further described on the Easterly right-of-way line of Military Trail, according to the plat thereof, as recorded in Road Plat Book 4, pages 139 thru 142 inclusive; thence Northerly and Easterly along the arc of said curve, along said Easterly right-of-way, having a radius of 1849.86 feet, an arc distance of 1576.75 feet to the Point of Tangency; thence North 54°30'37" East, along said East right-of-way line, a distance of 264.67 feet; thence South 35°29'23" East, a distance of 440.00 feet; thence South 04°50'46" East, a distance of 72.74 feet; thence South 40°36'05" West, a distance of 92.20 feet; thence South 16°41'57" East, a distance of 104.40 feet; thence South 48°48'51" East, a distance of 106.30 feet; thence North 83°59'28" East, a distance of 203.36 feet, to the intersection with the arc of a circular curve to the left, whose radius point bears North 28°13'45" East from the last described point; thence Easterly, Southerly and Northerly, along the arc of said curve, having a radius of 400.00 feet, an arc distance of 584.36 feet; thence North 89°24'30" East, a distance of 224.64 feet to a point 247.50 feet West of the East line of said Northeast 1/4; thence South 00°35'30" East, along a line 247.50 feet West of, and parallel with, as measured at right angles to, the East line of said Northeast 1/4, a distance of 950.00 feet to the Point of Beginning of this description. Said property located on the east side of Military Trail (S.R. 809), approximately .4 mile south of Boca Raton West Road (S.R. 808), was approved as advertised subject to the following conditions:

1. Petitioner shall construct a left turn lane on Military Trail, north approach, at the project's entrance.
2. Petitioner shall construct left and right turn lanes, east approach, at the project's entrance road and Military Trail.
3. Petitioner shall **limit** the access tracts to a maximum length of six hundred (600) feet from a dedicated right-of-way.

4. Petitioner shall provide for an eighty (80) foot entrance road from Military Trail.
5. Petitioner shall contribute Ninety-Three Thousand Four Hundred Fifty Dollars (\$93,450.00) 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). The developer, at his option, may elect to construct in kind improvements to the arterial roadway system to include, but not to be limited to, the construction of an additional two (2) lanes on Butts Road from Military Trail westerly approximately one thousand one hundred (1,100) feet (replacement value \$130,000.00), signalize the intersection of Butts Road and Military Trail (replacement value \$14,000.00), and/or the construction of a dual left turn lane, south approach, and a right turn lane, north approach, at the intersection of Military Trail and Butts Road (replacement value \$20,000.00). 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 Ninety-Three Thousand Four Hundred Fifty Dollars (\$93,450.00) toward alleviating some of its traffic impacts.
6. Developer 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.
7. Petitioner shall convey the South 20.00 feet of the Northeast 1/4 of Section 23, Township 47 South, Range 42 East of Military Trail to the Lake Worth Drainage District with some physical Canal Improvement or Storm Sewer System to be determined by the Developer.

Commissioner Gregory, 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	-	Is
Frank Foster	-	Yes
Norman Gregory	-	Yes
Dennis Koehler	-	Yes

The foregoing resolution was declared duly passed and adopted
this 19th day of December, 1978, confirming action
of 30 November 1978.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Ruth Ann Cotton*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

Charles H. Church
County Attorney

