

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, 78-242 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. 78-242 the petition of RALPH H. MARKUS and ROBERT KENNEDY by Lee Starkey, 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 the North 1/2 and Southwest 1/4 of Section 24, Township 47 South, Range 41 East, and the North 1/2 of the East 1/4 of Section 23, Township 47 South, Range 41 East, together with Tracts 50, 51, 52, 53, 55, and 56 of the Florida Fruit Land Company's Subdivision No. 2 of the South 1/2 of the East 1/4 of Section 23, Township 47 South, Range 41 East, and, a parcel of land in Section 24, Township 47 South, Range 41 East, more particularly described as follows: Commencing at the center of said Section 24, for a Point of Beginning and thence running Easterly along the centerline of said Section to the intersection of the West Right-of-way line of State.Road 7, a distance of 2551.30 feet; thence Southerly along the West right-of-way line of said S.R. 7, a distance

of 377.40 feet; thence Westerly at an angle of 89°50'23" from the preceding courses measuring from North to West a distance of 2550.50 feet to the centerline of said Section 24; thence North along said centerline a distance of 251.80 feet to the Point of Beginning. Said property located on the west side of U.S. 441 (S.R. 7), being bounded on the south by 220th Street South, was approved as advertised subject to the following conditions:

1. Petitioner shall convey to Palm Beach County a total of two hundred (200) feet for the right-of-way of S.R. 7.
2. Petitioner shall convey to Palm Beach County one hundred (100) feet from centerline for the ultimate right-of-way of Palmetto Park Road.
3. Petitioner shall construct left and right turn lanes at the project's east entrance on S.R. 7.
4. Petitioner shall construct left and right turn lanes at the project's south entrance on Palmetto Park Road.
5. Petitioner shall signalize the project's east entrance when warranted, as shall be determined by the County Engineer.
6. Petitioner shall pay the pro-rata share of signalization of Palmetto Park Road and S.R. 7 based upon traffic volumes when warranted, as determined by the County Engineer.
7. Developer shall contribute One Hundred Fifty-Eight Thousand Five Hundred Dollars (\$158,500.00) 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 One Hundred Fifty-Eight Thousand Five Hundred Dollars (\$158,500.00) toward alleviating some of its traffic impacts.
8. 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.
9. Petitioner shall convey to Palm Beach County, without charge, the thirteen (13) acre Governmental Service Site as depicted on the Master Plan, Exhibit No. 19, on file in the office of the Director, Department of Planning, Zoning & Building. This site may be released from Governmental Service use by Palm Beach County provided the developer provides an alternate site(s) acceptable to Palm Beach County.
10. Developer shall convey an 80' wide right-of-way for proposed Cain Boulevard to Palm Beach County, the alignment of which shall be approved by the County Engineer.

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	-	No
Frank Foster	-	No
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: *Paul Lane Cotton*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

Charles F. Wood
County Attorney

