

RESOLUTION NO. R-79-82

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. 78-232 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28 December 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 28th day of December, 1978, that petition No. 78-232 the petition of NATHAN TANEN, MELVIN TANEN and TANEN CONSTRUCTION CO. OF EAU GALLIE, INC., by Nathan Tanen, as Agent and President, respectively, for the REZONING, FROM AG-AGRICULTURAL DISTRICT TO RM-RESIDENTIAL MULTIPLE FAMILY DISTRICT (MEDIUM DENSITY) of Tract 57, less the North 119.94 feet of the East 362.83 feet thereof, and all of Tracts 58, 59, and 60, Section 19, Township 45 South, Range 43 East according to the plat thereof, recorded in Plat Book 7, page 19; also, the Southeast 1/4 of the Northwest 1/4 of the Southwest 1/4 lying South of Boynton Beach Road, and the East 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 19, Township 45 South, Range 43 East; less the right-of-way for County Road; subject to right-of-way as recorded in Deed Book 651, page 248 and Deed Book 981, page 110, the right-of-way as described in Deed Book 651, page 248, is a strip of land, 40 feet each side of "The County Road", lying within the Southeast 1/4 of the Southwest 1/4 of the Southwest 1/4 and within the South 1/2 of

the Southeast 1/4 of the Southwest 1/4 of Section 19, Township 45 South, Range 43 East, neither Old Boynton Road nor Boynton Road are located in or adjacent to the property described in Deed Book 651, page 248; also subject to easements, reservations, restrictions and rights-of-way of record. Said property located on the south side of Old Boynton Road, approximately 600 feet east of Lawrence Road, was approved as amended per the petitioner's request for the REZONING, FROM AG-AGRICULTURAL DISTRICT TO RS-RESIDENTIAL SINGLE FAMILY DISTRICT WITH THE FURTHER SPECIAL EXCEPTION TO INCLUDE A PLANNED UNIT DEVELOPMENT subject to the following conditions:

1. Petitioner shall convey to Palm Beach County forty (40) feet from the centerline of Old Boynton Road for the ultimate right-of-way.
2. Petitioner shall convey to Palm Beach County thirty (30) feet from the centerline of Knuth Road for the ultimate right-of-way.
3. Petitioner shall construct a left turn lane on Old Boynton Road, east approach, at project's entrance.
4. Petitioner shall construct a left turn lane on Boynton West Road, west approach, at the main intersection with the north-south road.
5. Petitioner shall participate in the paving of the main north-south road southerly to Boynton West Road.
6. Petitioner shall convey to Palm Beach County a total of fifty (50) feet of right-of-way for the main north-south road between Old Boynton Road and the north lines of Tracts 57 and 59.
7. Petitioner shall contribute to Palm Beach County a total of Thirty-Nine Thousand Two Hundred Dollars (\$39,200.00) towards meeting the cost of 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 Thirty-Nine Thousand Two Hundred Dollars (\$39,200.00) towards alleviating some of its traffic impact.
8. Petitioner shall enter into a formal contract with the School Board of Palm Beach County to contribute .4 of 1% of the selling price of each residential dwelling unit in this planned unit development 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 of 1% of the initial sales price toward alleviating some of the development's school impact.
9. Developer shall convey the south twenty-five (25) feet of the subject property for Lateral Canal-Ne..., as requested by the Lake Worth Drainage District.

