

RESOLUTION NO. R-79-1473

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. 79-205 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 26 September 1979.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 26th day of September, 1979, that petition No. 79-205 the petition of C.M. and GLADYS M. COOK and BILLY F. and LUCILLE D. COOK, by William R. Boose, III, Esquire, for THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on the West 3/4 of the North 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 32, Township 47 South, Range 42 East; and Tracts 69, 70, 71 and 90 and the East 1/2 of Tract 89, Block 80 and Tracts 1 to 4 and 13 to 20 inclusive and the North 1/2 of Tracts 27 and 28, Block 83, Palm Beach Farms Company's Plat No. 3, in said Section 32 as recorded in Plat Book 2, pages 45 to 54; and all of Boca Raton Terrace, a subdivision in said Section 32, as recorded in Plat Book 4, page 2. Said property located approximately .3 mile west of Florida's Turnpike and .6 mile south of Pondwood Road, being bounded on the south by the Hillsboro Canal, was approved as advertised subject to the following conditions:

1. Petitioner shall convey to Palm Beach County:
 - a. Eighty (80) feet for the right-of-way of S.W. 8th Street thru the project's limits.
 - b. One hundred twenty (120) feet for the ultimate right-of-way for S.W. 18th Street thru the project's limits.
2. Petitioner shall abandon all former plats and former platted roads.
3. Petitioner shall have access to this project approved by the County Engineer before platting any portion or all of the property.
4. Petitioner shall construct:
 - a. S.W. 8th Street from the Sandalfoot Cove Easternmost limits to the project's eastern limits as a two-lane section.
 - b. S.W. 18th Street from the Sandalfoot Cove Easternmost limits to the project's eastern limits, as a two-lane section.
5. Petitioner shall align S.W. 8th Street and S.W. 18th Street as approved by the County Engineer.
6. Petitioner shall extend the existing left turn lane, east approach, at the intersection of Glades Road and Lyons Road.
7. Petitioner shall construct left turn lanes, west approach, on S.W. 18th Street at each of the project's intersections.
8. Petitioner shall construct a left turn lane, north approach, on Lyons Road at S.W. 18th Street.
9. Petitioner shall contribute One Hundred Eighteen Thousand Two Hundred Dollars (\$118,200.00) 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 fee schedule for this project has been calculated in accordance with Ordinance 79-7 as follows:

Single Family	\$300.00/d.u.
Multi-Family	\$200.00/d.u.

This condition shall fulfill the developer's requirement according to the "Fair Share Contribution for Road Improvements Ordinance" No. 79-7.

10. Petitioner shall redesign the Master Plan for a fifty (50) foot buffer area along the west property line or cause the water level in the discharge canal to lower the minimum street and house pad elevations to be compatible with Sandalfoot Cove.

11. We will require the South 15.00 feet of Tract 90 and the East Half of Tract 89, Block 80 and the North 15.00 feet of Tracts 1 through 4 inclusive, Block 83, according to the Plat of the Palm Beach Farms Company Plat No. 3, as recorded in Plat Book 2, pages 45 to 54 inclusive and the North 55.00 feet and a portion of the West 45.00 feet of the West Three-Quarters of the North Half of the Northwest Quarter of the Northeast Quarter of Section 32, Township 47 South, Range 42 East, Palm Beach County, Florida, for the Required Right-of-Way of Lateral Canal No. 50. The Lake Worth Drainage District will accept a Quit Claim Deed or an Easement, on their form, whichever the owner prefers.
12. Petitioner shall enter into a formal contract with the School Board of Palm Beach County to contribute four-tenths (4/10) of one percent (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 4/10ths of 1% of the initial sales price toward alleviating some of the development's school impact.
13. Petitioner must dedicate the civic site to Palm Beach County, without cost, within ninety (90) days of the filing of the first plat.
14. Petitioner shall be required to obtain a surface water management permit from South Florida Water Management District.
15. The 2.8 acre civic site shown on the Master Plan, Exhibit No. 3, shall be transferred to the Cook property involved in Petition 79-212 and credited to the civic requirement for this planned unit development.

Commissioner Gregory, moved for approval of the petition.

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

Bill Bailey, Chairman	-	Yes
Dennis Koehler, Vice Chairman	-	Yes
Peggy Evatt, Member	-	Yes
Frank Foster, Member	-	Yes
Norman Gregory, Member	-	Yes

The foregoing resolution was declared duly passed and adopted
this 25th day of October , 1979, confirming action of
26 September 1979.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONER'S

JOHN B. DUNKLE, Clerk

By: *Richard Van Allen*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
County Attorney

