

RESOLUTION NO, R- 1628

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 empqwered 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. 79-227 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 25 October 1979; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various county review agencies and the recommendations **of** the Planning Commission; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The proposal **will** conform to the character **of** the district and its peculiar suitability **for** particular uses
2. The proposal will not be disruptive **to** ~~the~~ character of the neighborhoods or adverse **to** playgrounds, parks, schools and recreation areas
3. The proposal will not be adverse to the promotion **of** the public health, safety, comfort, convenience, order, appearance, prosperity or general welfare

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS **OF** PALM BEACH COUNTY, FLORIDA, assembled in regular session this 25th day of **October**, 1979, that Petition No, 79-227 the petition of BRAMALEA DEVELOPERS (U.S.) LIMITED by Walter Taft Bradshaw, Agent, for THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on Tracts 19, 20, 29 E 30 Boston and

Florida Atlantic Coast Land Co., 's Subdivision of Section 35, Township 47 South, Range 42 East, as recorded in Plat Book 2, page 63; subject to easements and rights-of-way of record. Said property located at the southeast corner of the intersection of Military Trail (S.R. 809) and S.W. 18th Street, was approved as advertised subject to the following conditions:

1. Petitioner shall construct main entrance on SW 18 Street to have one lane entering and two lanes exiting.
2. Petitioner shall construct a left turn lane, east approach, on SW 18 Street at the project's entrance.
3. Petitioner shall contribute Thirty-four Thousand Four Hundred Dollars (\$34,400.00) towards 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). This condition shall fulfill the developer's requirement according to the "Fair Share Contribution for Road Improvements" Ordinance No. 79-7. This fee shall be determined and calculated as follows:

Townhouses and Garden Apartments \$200.00/Unit

4. 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.
5. A surface water management permit will be required by the South Florida Water Management District for the total parcel of one hundred thirty-seven (137) acres plus or minus.
6. A permit will have to be obtained from the South Florida Water Management District for any use proposed within the Hillsboro Canal right-of-way. Any site plan approval granted by Palm Beach County will not be binding upon the South Florida Water Management District.

Commissioner Gregory, moved for approval of the petition.

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

Bill Bailey, Chairman	-	Absent
Dennis Koehler, Vice Chairman	-	Yes
Peggy B. Evatt, Member	-	Yes
Frank H. Foster, Member	-	Absent
Norman R. Gregory, Member	-	Yes

The foregoing resolution **was** declared duly passed and adopted
this 27th day of **November, 1979** , confirming action of
25 October 1979.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By *Ruth Ann Otter*
Deputy Clerk

APPROVE **AS** TO FORM
AND LEGAL SUFFICIENCY

[Signature]
County Attorney

