

RESOLUTION NO, R- 1633

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- 231 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 be in harmony and compatible with the present and future development of the area concerned
2. The proposal will conform to the character of the district and its peculiar suitability for particular uses
3. The proposal will not be disruptive to the character of the neighborhoods or adverse to playgrounds, parks, schools and recreation areas
4. 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 25<sup>th</sup> day of October, 1979, that Petition No. 79-231 the petition of M.A.P. BUILDERS and ARBORWOOD LIMITED by Henry Skokowski, Agent, for a SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on Lots 101 and 102, Block 79 of Palm Beach Farms Company, Plat No. 3 in Sections 20 and 29, Township 47 South, Range 42 East, as recorded in Plat Book 2, page 53. Said property located on the northeast corner of the intersection of Pondwood Road and Lyons Road (90th Avenue South) in an RS-Residential Single Family District, was approved as advertised subject to the following conditions:

1. Petitioner shall convey to Palm Beach County one hundred sixty-five (165) feet from the existing centerline of the platted road for the ultimate right-of-way for Palmetto Park Road.
2. Petitioner shall convey to Palm Beach County fifty-four (54) feet from centerline for the ultimate right-of-way for Lyons Road.
3. Petitioner shall construct a left turn lane, north approach, on Lyons Road at the project's entrance to have fifty (50) feet of storage.
4. Petitioner shall construct all interior private roads to a minimum of twenty (20) ft. of pavement.
5. Petitioner shall submit a comprehensive drainage report to determine the effect that this development will have on drainage on abutting properties, prior to Site Plan approval.
6. Petitioner shall contribute Nine Thousand Nine Hundred Dollars (\$9,900.00) 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 Contribute for Road Improvements" Ordinance No. 79-7. This fee shall be determined and calculated as follows:

Single Family Residence      \$300.00/d.u.

OR

May construct Lyons Road to a four-lane section as shown on the constructions plans which have been submitted to the County Engineer's office for the Arborwood Subdivision.

7. 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.

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:

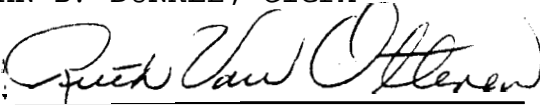
Bill Bailey, Chairman	-	Absent
Dennis Koehler, Vice Chairman	-	Yes
Peggy B. Evatt, Member	-	Yes
Frank H. Foster, Member	-	Absent
Norman R. Gregory, Member	-	Yes

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

  
Deputy Clerk

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

  
County Attorney

