

RESOLUTION NO. R- 80-503

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. 79-284 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 27 March 1980; 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 would be in harmony and compatible with the present and future development of the area concerned

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 27th day of March, 1980, that Petition No. 79-284 the petition of ORANGE POINT CORPORATION, by Charles Simmons of Gee and Jenson, Inc., Agent, for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on all of Section 34, Township 44

South, Range 41 East, and part of Sections 23 and 26 as described in Official Records Book 836 at page 385, less the Easterly 1,534.25 feet of the Northerly 2,663.56 feet as described in Official Records Book 986 at page 210, and the Northerly 1,336.38 feet of the Westerly 3,738.89 feet as described in Official Records Book 1125 at page 134, all in Range 41 East, Township 44 South; SUBJECT to a right-of-way agreement over a portion of the above described premises from C. Oliver Wellington and Lucile Wellington, his wife, to Florida Power & Light Company, dated January 2, 1953, filed for record on January 9, 1953, and recorded in Deed Book 1003, at page 511; SUBJECT to right-of-way over a portion of the premises described above given by C. Oliver Wellington and Lucile Wellington, his wife, to the Board of Supervisors of Acme Drainage District, filed for record on December 9, 1953, and recorded in Deed Book 1037, at page 686; SUBJECT to all easements and rights-of-way of record not specifically related in the above description. Said property located approximately .9 mile west of S.R. 7 (U.S. 441) and approximately 1.7 miles south of West Forest Hill Boulevard, was approved as advertised subject to the following conditions:

1. Petitioner shall convey to Palm Beach County eighty (80) feet for the right-of-way for South Road.
2. Petitioner shall construct South Road from existing limits of paving west to the project's westernmost access drive in Section 34.
3. Petitioner shall construct on S.R. 7 at South Road:
 - a. right turn lane, north approach
 - b. left turn lane, south approach
 - c. right turn lane, west approach
4. Petitioner shall construct on South Road at the project's Section 26 proposed access drive:
 - a. right turn lane, east approach
 - b. left turn lane, west approach

5. Petitioner shall construct the project's proposed Section 26 access drive on South Road with two lanes entering and two lanes exiting.
6. Petitioner shall redesign the "Y" intersection to a "T" intersection at the proposed access road in Section 26.
7. Petitioner shall construct at the "T" intersection in Section 26 a left turn lane, north approach.
8. Petitioner shall construct on South Road at the project's Section 34 proposed access drive a left turn lane, east approach.
9. Petitioner shall construct the project's proposed Section 34 access drive on South Road with two lanes entering and two lanes exiting.
10. Petitioner shall redesign the "Y" intersection to a "T" intersection at the proposed access road in Section 34.
11. Petitioner shall construct on the access road in Section 34 at the "T" intersection:
 - a. right turn lane, north approach
 - b. left turn lane, north approach
 - c. right turn lane, east approach
 - d. left turn lane, west approach
12. Petitioner shall construct at the intersection of Lake Worth Road and S.R. 7:
 - a. left turn lane, east approach
 - b. right turn lane, south approach
13. Petitioner shall signalize the intersection of South Road and S.R. 7 when warranted, as determined by the County Engineer.
14. Petitioner shall contribute the pro rata share for the cost of constructing a four-lane bridge at the intersection of Lake Worth Road and S.R. 7.
15. Petitioner shall stripe and sign the pedestrian and golf cart crossings wherever participants on golf course must cross the road.
16. Petitioner shall contribute Two Hundred Fifty-three Thousand One Hundred Dollars (\$253,100.00) 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	\$ 257.25/d.u.
Multi-family & Villas	171.32/d.u.
Recreation and Clubhouse	1,875.00 total
General Commercial	0.25 sq. ft.

However, regardless of the present or future status of this Ordinance, this development shall be required to provide the above Two Hundred Fifty-three Thousand One Hundred Dollars toward alleviating some of its direct and identifiable traffic impact.

17. 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.
18. Petitioner must dedicate the civic site to Palm Beach County, without cost, at the time of the filing of the first plat.

Commissioner Foster, moved for approval of the petition.

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

Dennis Koehler, Chairman	-	Aye
Frank Foster, Vice Chairman	-	Aye
Bill Bailey, Member		Aye
Norman R. Gregory, Member	-	No
Peggy B. Evatt, Member		Absent

The foregoing resolution was declared duly passed and adopted this 15th day of April, 1980, confirming action of 27 March 1980.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By : *John B. Dunkle*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
County Attorney

