

RESOLUTION NO. R- 83-1057

RESOLUTION APPROVING ZONING PETITION 72-51(A) Special Exception  
amending Zoning Petition No. 72-51

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. 75-2 have been satisfied; and

WHEREAS, Petition No. 72-51(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24th February 1983; 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 proposed Master Plan Modification represents no significant change in terms of traffic, utilities, and environment impacts from the original approval, since there is no net change in density.
2. The density and housing type proposed for the Equestrian Tract is generally compatible with that of adjacent development.
3. The reduction of density in the northwest parcel will be more in keeping with the general development of the area.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 24th day of February, 1983, that Petition No. 72-51(A) the petition of DREXEL PROPERTIES, INC. By Joseph A. Kolb, Vice President, for a SPECIAL EXCEPTION TO AMEND THE MASTER PLAN FOR COUNTRY CLUB TRAILS PLANNED UNIT DEVELOPMENT PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 72-51 on all of the Lands which lie in Sections 23, 24, 25, 26 and 30, Township 45 South, Range 42 East, ALSO KNOWN as

Country Club Trails Planned Unit Development, being more particularly described as follows: A parcel of land known as the Equestrian Plat, Section 25, Township 45 South, Range 42 East, as recorded in Plat Book 31, Pages 75 and 76, together with a Parcel land known as the Plat of Greentree Villas, Section 25, Township 45 South, Range 42' East as recorded in Plat Book 33, Pages 76 through 78, inclusive, together with a parcel of land known as the Plat of Limetrce Court, Section 25, Township 45 South, Range 42 East as recorded in Plat Book 30, Pages 52 through 54, inclusive, Public Records of Palm Beach Caunty, Florida. Together with a parcel of land known as Quail Ridge, being comprised of the following plats: Plat No. 14, Quail Ridge, Plat Book 37, Pages 66 through 68, inclusive; Plat No. 15, Quail Ridge, Plat Book 37, Pages 116 and 117; Plat No. 16, Quail Ridge, Plat Book 38, Pages 35 through 38, inclusive; Plat 17, Quail Ridge, Plat Book 38, Pages 47 through 49, inclusive; Plat No. 18, Quail Ridge, Plat Book 38, Pages 131 through 134, inclusive; Plat No. 19, Quail Ridge, Plat Book 38, Pages 180 through 183, inclusive; Plat No. 20, Quail Ridge, Plat Book 40, Pages 175 and 176; and Plat No. 21, Quail Ridge, Plat Book 40, Pages 172 through 174, inclusive, all said plats being in Section 30, Township 45 South, Range 43 East. Together with a parcel of land known as the Plat of Bent Tree, Section 24, Township 45 South, Range 42 East, as recorded in Plat Book 38, Pages 51, through 54, inclusive, together with a parcel of land known as the Plat of Boynton West Shopping Center, Section 23, Township 45 South, Range 42 East, as recorded in Plat Book 43, Page 23, Public Records of Palm Beach County, Florida. Together with a parcel of land lying in the Southeast of Section 23, Township 45 South, Range 42 East, Palm Beach County, Florida being more particularly described as follows: All of the Southeast 1/4 of said Section 23, less the Northeast 1/4, of the Southeast 1/4, and, the Southwest 1/4 of the Southwest 1/4 of the Southeast 1/4, and, that certain parcel of land known as the Plat of Boynton West Shopping Center, as recorded in Plat Book 43, Page 23, together with a parcel of land lying in the Northeast 1/4 of Section 26, Township

45 South, Range 42 East, being more particularly described as follows: Tracts 1 through 4 and Tracts 13 through 24, inclusive, according to the Plat of Section 26, Township 45 South, Range 42 East, as recorded in Plat Book 6, Page 26, Less road and canal rights-of-way; being one and the same property as the Northeast 1/4 of Section 26, Township 45 South, Range 42 East, Less road and canal rights-of-way, by Transferring 240 dwelling units from Parcel A, being more particularly described as follows: A parcel of land lying in the Southeast 1/4 of Section 23, Township 45 South, Range 42 East, being more particularly described as follows: All of the Southeast 1/4 of said Section 23, Less the Northeast 1/4, Less the Northeast 1/4 of the Southeast 1/4, and, the Southwest 1/4 of the Southwest 1/4 of the Southeast 1/4, and, that certain parcel of land known as the Plat of Boynton West Shopping Center, as recorded in Plat Book 43, Page 23, to the Equestrian Plat being more particularly described as follows: A parcel of land known as the Equestrian Plat, in Section 25, Township 45 South, Range 42 East, as recorded in Plat Book 31, Pages 75 and 76. Said property located on the northwest corner of the intersection of Military Trail (S.R. 809) and Boynton Road (S.R. 804). Also located on the east side of Military Trail (S.R. 809), approximately 200 feet north of Pine Tree Drive in an AR-Agricultural Residential District, was approved as advertised subject to the following conditions:

1. The developer shall comply with all conditions of original approval of Petition No. 72-51.
2. Density on the former equestrian tract shall be limited to four dwelling units per acre for a total of 192 units.
3. The Developer shall construct a 5 foot wide bikepath along the east side of Military Trail from the Equestrian Tract's entrance north to N.W. Second Avenue, concurrent with the four-laning of Military Trail.
4. The developer shall provide the construction plans for Boynton West Road as a four-lane median section expandable to a 6-lane median section from the eastern terminus of the 4-laning of Boynton West Road west to the east right-of-way of the E-3 Canal to include the appropriate taper per the County Engineer's approval. These plans shall contain, but not be limited to drainage. These plans shall be approved prior to or concurrent with the filing of the first plat or within 6 months of Special Exception approval, whichever shall first occur.

5. The developer shall construct on Military Trail at the project entrance road a left turn lane north approach and a right turn lane south approach, concurrent with the development of the first plat.
6. The developer shall contribute Thirty Eight Thousand Four Hundred Dollars (\$38,400.00) toward the cost of meeting this project's direct and identifiable traffic impact, to be paid at the rate of \$200 per dwelling unit at the time of the -filing of the plat(s). Credit shall be given for the impact fee for the first one hundred and ninety two dwelling units toward the cost of the construction plans as outlined in Condition "4" above.
7. The developer shall not utilize the Greentree Villas' gravity system or pumping station in any way to dispose of the wastewater from the Equestrian Tract development.
8. The developer shall limit the height of the residential structures in the development of the former Equestrian Tract development to one story, with the exception of single family residences.
9. The developer shall landscape the south and east property lines abutting the Pine Tree Golf Club and Pine Tree Villas within six (6) months of Special Exception approval. Such landscaping shall be irrigated and consist of a 6' high black PVC coated chain-link fence together with a ficus hedge planted 24 inches on center, 75% opaque at planting and a combination of Black Olive, Bottle Brush, and/or Mahogany shade trees to be planted the equivalent of 40 feet on center and in a manner to supplement existing tree plantings on abutting properties.
10. The developer shall landscape the northern property line abutting Greentree Villas in a manner which meets or exceeds that which currently exists along Greentree Villas southern boundary. Such landscaping shall be irrigated and installed prior to the issuance of Certificates of Occupancy for abutting dwelling units and shall be maintained to the edge of the Lake Worth Drainage District L-25 Canal embankment by the Equestrian Tract. Homeowners Association.
11. The developer shall landscape the eastern boundary of the Greentree Villas Community, abutting the Pine Tree Golf Club community, within six (6) months of special exception approval. The improvements will include additional hedge planting to supplement existing landscaping to create a continuous screen, together with the planting of a combination of Black Olive, Bottle Brush and/or Mahogany shade trees in a manner to supplement existing tree plantings to achieve the equivalent of one shade tree per forty (40) feet.
12. The developer shall take reasonable precautions during the development of this property to insure that fugitive particulates (dust Particles) from the project do not become a nuisance to neighboring properties .
13. The developer shall take necessary measures during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters.

Commissioner Koehler, 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:

Peggy E. Evatt, Chairman	-	Aye
Ken Spillias, Vice Chairman	-	Aye
Dennis P. Koehler, Member	-	Aye
Dorothy Wilken, Member		Aye
Bill Bailey, Member		Aye

The foregoing resolution was declared duly passed and adopted this 13th day of September, 1983, confirming action of 24th February 1953.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: Judy Medbert  
Deputy Clerk

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

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County Attorney

