

RESOLUTION NO. 84-355

RESOLUTION APPROVING ZONING PETITION 83-158, SPECIAL EXCEPTION

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. 83-158 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 1st December 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 Special Exception is consistent with the minimum requirements of the Comprehensive Zoning and Zoning Code.

..

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 1st day December 1983, that Petition No. 83-158 the petition of Mr. LOY ANDERSON, JR. & ROBERT A. PETERHO, SR. Request for Scott. Agent, for a SPECIAL EXCEPTION TO ALLOW A RESIDENTIAL DEVELOPMENT ON TRACT 25.150, 150.00, 151.00, 152.00, 153.00, 154.00, 155.00, 156.00, 157.00, 158.00, 159.00, 160.00, 161.00, 162.00, 163.00, 164.00, 165.00, 166.00, 167.00, 168.00, 169.00, 170.00, 171.00, 172.00, 173.00, 174.00, 175.00, 176.00, 177.00, 178.00, 179.00, 180.00, 181.00, 182.00, 183.00, 184.00, 185.00, 186.00, 187.00, 188.00, 189.00, 190.00, 191.00, 192.00, 193.00, 194.00, 195.00, 196.00, 197.00, 198.00, 199.00, 200.00, 201.00, 202.00, 203.00, 204.00, 205.00, 206.00, 207.00, 208.00, 209.00, 210.00, 211.00, 212.00, 213.00, 214.00, 215.00, 216.00, 217.00, 218.00, 219.00, 220.00, 221.00, 222.00, 223.00, 224.00, 225.00, 226.00, 227.00, 228.00, 229.00, 230.00, 231.00, 232.00, 233.00, 234.00, 235.00, 236.00, 237.00, 238.00, 239.00, 240.00, 241.00, 242.00, 243.00, 244.00, 245.00, 246.00, 247.00, 248.00, 249.00, 250.00, 251.00, 252.00, 253.00, 254.00, 255.00, 256.00, 257.00, 258.00, 259.00, 260.00, 261.00, 262.00, 263.00, 264.00, 265.00, 266.00, 267.00, 268.00, 269.00, 270.00, 271.00, 272.00, 273.00, 274.00, 275.00, 276.00, 277.00, 278.00, 279.00, 280.00, 281.00, 282.00, 283.00, 284.00, 285.00, 286.00, 287.00, 288.00, 289.00, 290.00, 291.00, 292.00, 293.00, 294.00, 295.00, 296.00, 297.00, 298.00, 299.00, 300.00, 301.00, 302.00, 303.00, 304.00, 305.00, 306.00, 307.00, 308.00, 309.00, 310.00, 311.00, 312.00, 313.00, 314.00, 315.00, 316.00, 317.00, 318.00, 319.00, 320.00, 321.00, 322.00, 323.00, 324.00, 325.00, 326.00, 327.00, 328.00, 329.00, 330.00, 331.00, 332.00, 333.00, 334.00, 335.00, 336.00, 337.00, 338.00, 339.00, 340.00, 341.00, 342.00, 343.00, 344.00, 345.00, 346.00, 347.00, 348.00, 349.00, 350.00, 351.00, 352.00, 353.00, 354.00, 355.00, 356.00, 357.00, 358.00, 359.00, 360.00, 361.00, 362.00, 363.00, 364.00, 365.00, 366.00, 367.00, 368.00, 369.00, 370.00, 371.00, 372.00, 373.00, 374.00, 375.00, 376.00, 377.00, 378.00, 379.00, 380.00, 381.00, 382.00, 383.00, 384.00, 385.00, 386.00, 387.00, 388.00, 389.00, 390.00, 391.00, 392.00, 393.00, 394.00, 395.00, 396.00, 397.00, 398.00, 399.00, 400.00, 401.00, 402.00, 403.00, 404.00, 405.00, 406.00, 407.00, 408.00, 409.00, 410.00, 411.00, 412.00, 413.00, 414.00, 415.00, 416.00, 417.00, 418.00, 419.00, 420.00, 421.00, 422.00, 423.00, 424.00, 425.00, 426.00, 427.00, 428.00, 429.00, 430.00, 431.00, 432.00, 433.00, 434.00, 435.00, 436.00, 437.00, 438.00, 439.00, 440.00, 441.00, 442.00, 443.00, 444.00, 445.00, 446.00, 447.00, 448.00, 449.00, 450.00, 451.00, 452.00, 453.00, 454.00, 455.00, 456.00, 457.00, 458.00, 459.00, 460.00, 461.00, 462.00, 463.00, 464.00, 465.00, 466.00, 467.00, 468.00, 469.00, 470.00, 471.00, 472.00, 473.00, 474.00, 475.00, 476.00, 477.00, 478.00, 479.00, 480.00, 481.00, 482.00, 483.00, 484.00, 485.00, 486.00, 487.00, 488.00, 489.00, 490.00, 491.00, 492.00, 493.00, 494.00, 495.00, 496.00, 497.00, 498.00, 499.00, 500.00, 501.00, 502.00, 503.00, 504.00, 505.00, 506.00, 507.00, 508.00, 509.00, 510.00, 511.00, 512.00, 513.00, 514.00, 515.00, 516.00, 517.00, 518.00, 519.00, 520.00, 521.00, 522.00, 523.00, 524.00, 525.00, 526.00, 527.00, 528.00, 529.00, 530.00, 531.00, 532.00, 533.00, 534.00, 535.00, 536.00, 537.00, 538.00, 539.00, 540.00, 541.00, 542.00, 543.00, 544.00, 545.00, 546.00, 547.00, 548.00, 549.00, 550.00, 551.00, 552.00, 553.00, 554.00, 555.00, 556.00, 557.00, 558.00, 559.00, 560.00, 561.00, 562.00, 563.00, 564.00, 565.00, 566.00, 567.00, 568.00, 569.00, 570.00, 571.00, 572.00, 573.00, 574.00, 575.00, 576.00, 577.00, 578.00, 579.00, 580.00, 581.00, 582.00, 583.00, 584.00, 585.00, 586.00, 587.00, 588.00, 589.00, 590.00, 591.00, 592.00, 593.00, 594.00, 595.00, 596.00, 597.00, 598.00, 599.00, 600.00, 601.00, 602.00, 603.00, 604.00, 605.00, 606.00, 607.00, 608.00, 609.00, 610.00, 611.00, 612.00, 613.00, 614.00, 615.00, 616.00, 617.00, 618.00, 619.00, 620.00, 621.00, 622.00, 623.00, 624.00, 625.00, 626.00, 627.00, 628.00, 629.00, 630.00, 631.00, 632.00, 633.00, 634.00, 635.00, 636.00, 637.00, 638.00, 639.00, 640.00, 641.00, 642.00, 643.00, 644.00, 645.00, 646.00, 647.00, 648.00, 649.00, 650.00, 651.00, 652.00, 653.00, 654.00, 655.00, 656.00, 657.00, 658.00, 659.00, 660.00, 661.00, 662.00, 663.00, 664.00, 665.00, 666.00, 667.00, 668.00, 669.00, 670.00, 671.00, 672.00, 673.00, 674.00, 675.00, 676.00, 677.00, 678.00, 679.00, 680.00, 681.00, 682.00, 683.00, 684.00, 685.00, 686.00, 687.00, 688.00, 689.00, 690.00, 691.00, 692.00, 693.00, 694.00, 695.00, 696.00, 697.00, 698.00, 699.00, 700.00, 701.00, 702.00, 703.00, 704.00, 705.00, 706.00, 707.00, 708.00, 709.00, 710.00, 711.00, 712.00, 713.00, 714.00, 715.00, 716.00, 717.00, 718.00, 719.00, 720.00, 721.00, 722.00, 723.00, 724.00, 725.00, 726.00, 727.00, 728.00, 729.00, 730.00, 731.00, 732.00, 733.00, 734.00, 735.00, 736.00, 737.00, 738.00, 739.00, 740.00, 741.00, 742.00, 743.00, 744.00, 745.00, 746.00, 747.00, 748.00, 749.00, 750.00, 751.00, 752.00, 753.00, 754.00, 755.00, 756.00, 757.00, 758.00, 759.00, 760.00, 761.00, 762.00, 763.00, 764.00, 765.00, 766.00, 767.00, 768.00, 769.00, 770.00, 771.00, 772.00, 773.00, 774.00, 775.00, 776.00, 777.00, 778.00, 779.00, 780.00, 781.00, 782.00, 783.00, 784.00, 785.00, 786.00, 787.00, 788.00, 789.00, 790.00, 791.00, 792.00, 793.00, 794.00, 795.00, 796.00, 797.00, 798.00, 799.00, 800.00, 801.00, 802.00, 803.00, 804.00, 805.00, 806.00, 807.00, 808.00, 809.00, 810.00, 811.00, 812.00, 813.00, 814.00, 815.00, 816.00, 817.00, 818.00, 819.00, 820.00, 821.00, 822.00, 823.00, 824.00, 825.00, 826.00, 827.00, 828.00, 829.00, 830.00, 831.00, 832.00, 833.00, 834.00, 835.00, 836.00, 837.00, 838.00, 839.00, 840.00, 841.00, 842.00, 843.00, 844.00, 845.00, 846.00, 847.00, 848.00, 849.00, 850.00, 851.00, 852.00, 853.00, 854.00, 855.00, 856.00, 857.00, 858.00, 859.00, 860.00, 861.00, 862.00, 863.00, 864.00, 865.00, 866.00, 867.00, 868.00, 869.00, 870.00, 871.00, 872.00, 873.00, 874.00, 875.00, 876.00, 877.00, 878.00, 879.00, 880.00, 881.00, 882.00, 883.00, 884.00, 885.00, 886.00, 887.00, 888.00, 889.00, 890.00, 891.00, 892.00, 893.00, 894.00, 895.00, 896.00, 897.00, 898.00, 899.00, 900.00, 901.00, 902.00, 903.00, 904.00, 905.00, 906.00, 907.00, 908.00, 909.00, 910.00, 911.00, 912.00, 913.00, 914.00, 915.00, 916.00, 917.00, 918.00, 919.00, 920.00, 921.00, 922.00, 923.00, 924.00, 925.00, 926.00, 927.00, 928.00, 929.00, 930.00, 931.00, 932.00, 933.00, 934.00, 935.00, 936.00, 937.00, 938.00, 939.00, 940.00, 941.00, 942.00, 943.00, 944.00, 945.00, 946.00, 947.00, 948.00, 949.00, 950.00, 951.00, 952.00, 953.00, 954.00, 955.00, 956.00, 957.00, 958.00, 959.00, 960.00, 961.00, 962.00, 963.00, 964.00, 965.00, 966.00, 967.00, 968.00, 969.00, 970.00, 971.00, 972.00, 973.00, 974.00, 975.00, 976.00, 977.00, 978.00, 979.00, 980.00, 981.00, 982.00, 983.00, 984.00, 985.00, 986.00, 987.00, 988.00, 989.00, 990.00, 991.00, 992.00, 993.00, 994.00, 995.00, 996.00, 997.00, 998.00, 999.00, 1000.00

approximately .2 miles East of Military Trail (S.R. 808) was approved as advertised subject to the following conditions:

1. This development shall retain onsite the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 72-4, as amended.
2. The developer shall complete the 4-lane median divided section of Hypoluxo Road from it's present terminus west of Lawrence Road West to a point 200 feet West of the intersection of Hypoluxo Road & Military Trail including the appropriate tapers, per the County Engineer's approval. This construction shall be completed prior to the issuance of 100 building permits, or within 12 months of Special Exception approval whichever shall first occur. Credit shall be applied toward the "Fair Share" impact fees based upon a certified cost estimate for this road construction.
3. Should the developer seek to obtain building permits prior to the letting of a contract for the road construction, as outlined in Condition #2 above, the developer shall post surety at the rate of \$200 per dwelling unit permitted. This surety shall be released after final completion of the road construction, as outlined in Condition #2 above.
4. The fifteen (15) foot road Right of Way south of and adjacent to Tracts 10, 11, 12, and 13 **is being** used for Lateral Canal No. 19. If this road Right of Way is abandoned, the property owner shall convey by either easement or Quit Claim Deed, this fifteen (15) foot wide parcel to the Lake Worth Drainage District.
5. The developer shall take reasonable precautions during the development of this property to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties.
6. The developer shall take necessary measures during the development of this property to prevent pollutant run off to neighboring and nearby surface waters.
7. Prior to certification, the Master Plan shall be amended to reflect the following:
  - a) a maximum density of 4.35 dwelling units per acre, and
  - b) redesign of the zero lot line areas to provide for frontages on either a 42 foot (with separate bike path) or 56 foot street section.
8. The developer shall construct at the project's entrance on Hypoluxo Road concurrent with improvements of the the first plat, left turn east approach and a caution signal if and when warranted by the County Engineer.

Commissioner **Wilken** moved for approval of the petition. The motion was seconded by Commissioner **Koehler**.

and upon being put to a vote, the vote was as follows:

Peggy E. Evatt, Chairman	--	AYE
Ken Scillias, Vice Chairman	--	ABSENT
Dennis P. Koehler, Member	--	AYE
Dorothy Wilken, Member	--	AYE
Bill Bailey, Member	--	ABSENT

The foregoing resolution was declared duly passed and  
accepted this 13th day of March, 1984, confirming action of  
the December 1983.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

*Lisa Cripp*  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

*John Corbett*  
County Attorney