

RESOLUTION NO. R-85-280

RESOLUTION APPROVING ZONING PETITION 84-139, 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. 84-139 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 1st of November 1984; 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 is consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 1st of November 1984, that Petition No. 84-139 the petition of RAINBERRY PARK, INC., By Richard Siemens, Agent for a SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on a parcel of land situate in Section 19, Township 47 South, Range 42 East, being a portion of Block 78 of the Palm Beach Farms Company's Plat No. 3, as recorded in Plat Book 2, Pages 45 through 54, being more particularly described as follows:

Commencing at the Southwest corner of Tract 71, Block 78, of the above referenced Palm Beach Farms Company Plat; thence North 00 degree 53'32" West, along the West perimeter of said Block 78, a distance of 1538.96 feet to the centerline of the proposed loop road and the Point of Beginning.

From the point of beginning; thence North 89 degrees 37'02" East, along said proposed centerline, a distance of 415.00 feet to the beginning of a curve having a radius of 393.81 feet from which a radial line bears North 00 degree 22'58" West, thence Easterly along the arc of said curve, subtending a central angle of 28 degrees 29'44", a distance of 195.86 feet; thence North 61 degrees 07'18" East continuing along said centerline, a distance of 198.25 feet to the beginning of a curve, having a radius of 393.81 feet from which a radial line bears South 28 degrees 52'42" East, thence Easterly along the arc of said curve, subtending a central angle of 28 degrees 29'44", a distance of 195.86 feet; thence North 89 degrees 37'02" East a distance of 223.09 feet; thence North 00 degree 22'58" West, departing from said centerline, a distance of 505.65 feet; thence North 89 degrees 37'02" East a distance of 458.56 feet; thence South 00 degree 22'58" East a distance of 272.24 feet; thence South 37 degrees 47'04" West a distance of 392.06 feet to the above referenced proposed centerline and a point on a curve having a radius of 350.00 feet from which a radial line bears South 37 degrees 47'04" West; thence Southerly along the arc of said curve, subtending a central angle of 19 degrees 38'39", a distance of 120.00 feet; thence North 57 degrees 25'43" East, departing from said proposed centerline, a distance of 255.35 feet; thence North 89 degrees 37'02" East a distance of 931.54 feet to the East line of Tract 48 of said Block 78; thence North 00 degree 22'58" West, along said East line, a distance of 968.63 feet to the Northeast corner of Tract 37 of said Block 78; thence South 89 degrees 37'00" West, along the North lines of Tracts 37-42 inclusive of said Block 78, a distance of 2642.00 feet; thence South 00 degree 53'32" East, along the West line of said Block 78, a distance of 1131.14 feet to the Point of Beginning. Said property located on the east side of S.R. No. 7 (U.S. 441), approximately .5 mile south of Glades Road (S.R. 808) was approved as advertised subject to the following conditions:

1. Prior to Site Plan Certification a revised Master Plan shall be submitted reflecting the circulation pattern throughout the Planned Unit development.
2. Reasonable precautions shall be exercised during site development

to' insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.

3. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.

4. This development shall retain onsite the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 73-4, as amended.

5. The developer shall construct concurrent with construction of each of the project's entrance roads onto North Central Boulevard a Left Turn Lane, West approach.

6. The Developer shall pay a Fair Share Fee in the amount and manner required by "The Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. Presently, the Fair Share Fee for this project is \$16,500.00.

7. No building permits, other than for the life care facility (518 units), shall be issued for this project until S.R. 7 is four (4) laned from Palmetto Park Road through the intersection of Glades Road, plus the appropriate tapers per the County Engineer's approval. This construction shall also include an overlay of the existing lanes if required by the County Engineer.

8. The petitioner shall expend \$77,000.00 on the landscaping of the median of State Road 7, from Glades Road to the Hillsboro Canal. The landscaping shall include a six-inch nonmountable curb, and be subject to approval of the Department of Transportation.

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:

Ken Spillias, Chairman	--	AYE
Dorothy Wilkens, Vice Chairman	--	AYE
Peggy Evatt, Member	--	ABSENT
Dennis P. Koehler, Member	--	AYE
Bill Bailey, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this day of FEB 19 1985 confirming action of the 1st of November 1984.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Patricia S. Weaver
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Sandy Sprague
County Attorney