

RESOLUTION NO. R-87-234

RESOLUTION APPROVING ZONING PETITION 86-99, Special Exemption

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. 86-99 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on September 25, 1986 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:

With required master plan modification, this proposal will be consistent with the requirements of the Comprehensive Plan and Zoning Code.

The School Board of Palm Beach County has demonstrated that the schools serving the Petition No. 86-99 are operating at or above capacity and that plans exist for additional facilities to alleviate overcrowding of additional students generated by new residential growth. The School Board recommends that the petitioner participate in the County School Impact Ordinance. Funds will be used by the School Board for the acquisition of sites and/or the construction of facilities serving subject petition.

Payment should be due the School Board of Palm Beach County in accordance to the payment schedule established within the ordinance.

Petitioner should enter into formal agreement with School Board of Palm Beach County to assure timely payment.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 10th day of February, 1987, that: Petition **Nb** 86-99, the petition of SABATELLO DEVELOPMENT CORPORATION, By George G. Gentile, Agent, for a **SPECIAL** EXCEPTION TO ALLOW A PLANNED RESIDENTIAL DEVELOPMENT on the East 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 14, Township 42 South, Range 42 East, less and except the East 40.00 feet thereof. Said property located on the northwest corner of the intersection of Northlake Boulevard (S.R. 809A) and Gibson Road was approved as advertised subject to the following conditions:

1. Prior to master plan certification, the master plan shall be amended to reflect the following:
 - a. required number of trees to be planted or preserved
 - b. required amount of recreational land
 - c. recreational amenities in recreation site
2. All property included in the legal description of this petition shall be subject to a Declaration of Restrictions and Covenants acceptable to the County Attorney's Office which shall provide, among other things, for: Formation of a single "master" property owner's association, and automatic membership in the "master" association by any party holding title to any portion of the property included in the P. R. D.
3. Since sewer and water service is available to the property, neither septic tank nor well shall be approved for use on the subject property.
4. This development shall retain the stormwater runoff in accordance with all applicable agency requirements in effect at the time of permit application, but as a minimum, the development shall retain onsite the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 73-4, as amended. The drainage system shall be maintained in an acceptable condition per the County Engineer's approval.
5. The property owner shall convey for the ultimate right-of-way of Northlake Boulevard, 80 feet from centerline (approximately an additional 23 feet) within 90 days of the adoption of the Resolution by the Board of County Commissioners. Conveyance must be accepted by Palm Beach County prior to the issuance of the first building permit.
6. The property owner shall construct a right turn lane, east approach and a left turn lane, west approach on Northlake Boulevard at the project's entrance road concurrent with the construction of Gibson Road.

7. The property owner shall provide Palm Beach County a road drainage easement within the project's internal lake system to accommodate the runoff of Northlake Boulevard along the property frontage and for a maximum 400 ft. distance each side of the property boundary lines along Northlake Boulevard. The drainage system within the project shall have sufficient retention/detention capacity to meet the storm water discharge requirements of the applicable County Control District and South Florida Water Management District to accommodate the ultimate Thoroughfare Plan Section road drainage runoff.
8. The Developer shall pay a Fair Share Fee in the amount and manner required by the "Fair Sham Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Sham Fee for this project presently is \$45,024.00.
9. The property owner shall install signalization, if warranted as determined by the County Engineer, at the project's entrance road and Northlake Boulevard. Should signalization not be warranted after 12 months of the final Certificate of Occupancy this property owner shall be relieved from this condition.

Commissioner Adams, moved for approval of the petition. The motion was seconded by Commissioner Wilken, and upon being put to a vote, the vote was as follows:

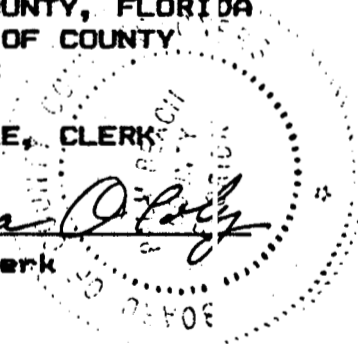
Karen T. Marcus	--	ABSENT
Jerry L. Owens	--	ABSENT
Ken Spillias	--	AYE
Dorothy Wilken	--	AYE
Kenneth M. Adams	--	AYE

The foregoing resolution was declared duly passed and adopted this 10th day of February, 1987 confirming action of September 25, 1986.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Barbara O'Leary*
 Deputy Clerk



APPROVED AS TO FORM
 FIND LEGAL SUFFICIENCY

[Signature]
 County Attorney