

RESOLUTION NO. R-88-1224

**RESOLUTION APPROVING ZONING PETITION NO. 87-42
SPECIAL EXCEPTION PETITION OF MAJOR DEVELOPMENT, INC.**

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. 87-42 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on July 24, 1987; 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, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 87-42, the petition of MAJOR DEVELOPMENT, INC., for a SPECIAL EXCEPTION TO EXTINGUISH THE SPECIAL EXCEPTION FOR A PLANNED UNIT DEVELOPMENT APPROVED UNDER ZONING PETITION NO. 81-144 AND TO ALLOW A PLANNED UNIT DEVELOPMENT, on a parcel of land lying on the West 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 34, Township 41 South, Range 42 East; Less however, the Right-Of-Way for Hood Road as described in Official Record Book 382, Pages 304 and 305, located on the north side of Hood Road, approximately .9 mile west of Florida's Turnpike (Sunshine State Parkway), in a RTS-Residential Transitional Suburban Zoning District, was approved as advertised, subject to the following conditions:

1. Prior to **Site Plan Review Committee certification**, the master plan shall be revised to reflect the following:
 - a. The **existing natural vegetation in excess** of fifteen (15) feet in height and within twenty-five (25) feet of the **ultimate right-of-way** for Hood Road shall be preserved.
2. No building permit shall be issued for the subject property until such a time that the site is connected to a public sewer system.
3. Since sewer service is available to the property, septic tank shall not be approved for use on the property.
4. Since water service is available to the property, a well shall not be approved for use on the property.
5. Prior to master plan certification the developer shall revise the master plan to eliminate access onto Hood Road. Access to this site shall be from Jog Road only.
6. The developer shall retain the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application. However at a minimum, this development shall provide for the retention of the first one (1) inch of the stormwater runoff per Palm Beach County Subdivision and Flattening Ordinance 73-4, as amended. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer.
7. The property owner shall convey for the ultimate right-of-way of Hood Road, sixty (60) feet from centerline within ninety (90) days of the approval of the Resolution approving this project or prior to the certification of the master plan whichever shall first occur.
8. The property owner shall provide paved access to the site prior to the issuance of a Building Permit or concurrent with the improvements with the first plat whichever shall first occur (minimum 2-12 foot travel lanes;) collector road standards.
9. The property owner shall provide to Palm Beach County a road drainage easement capable of accommodating all runoff from those segments of Jog Road and Hood Road along the property frontage and for a maximum 400 foot distance each side of the property boundary lines along Jog Road and Hood Road. The drainage system as provided in Condition No. 6 above, shall have

sufficient retention/detention **capacity** to meet the storm water discharge **requirements** of the applicable County **Contt-ol District** and South **Florida Water Management District**. The **design** of the system shall assume the ultimate Thoroughfare Plan **Section road drainage** t-unof f .

10. The property owner shall pay a **Fair Share Fee** in the amount and manner required by the "**Fair Share Contribution** for Road Improvements Ordinance" as i t **presently exists** or as it may ftom **time to time** be amended. The **Fait- Share Fee** for **this project** **presently is \$804. 00** per approved **single family dwelling unit** under 2,000 square feet and \$1 , 045. 00 per approved **single family dwelling unit over 2,000 square feet.**


Commissioner Marcus, moved for appt-ova 1 of **the petition**. The mot ion was seconded by **Commissioner Elmquist**, and upon being put to a vote, the vote was **as follows:**

Carol A. Roberts	--	Absent
Carol J. Elmquist	--	f +
Karen T. Marcus	--	We
Dorothy Wi 1 ken	--	Aye
Kenneth M. Adams	--	Aye

The **foregoing** resolution was declared duly passed and adopted **this 9th** day of **August**, **1988** confirming action of **July 24, 1987**

APPROVED AS TO FORM
AND LEGAL **SUFFICIENCY**

BY:




COUNTY ATTORNEY

FALM BEACH COUNTY, **FLORIDA**
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, **CLERK**

BY:



DEPUTY CLERK

