

RESOLUTION R-2003- 0943

RESOLUTION CORRECTING RESOLUTION R-2003-0564
RESOLUTION APPROVING ZONING PETITION OF
GL HOMES OF FLORIDA II CORP
FOGG PROPERTY NORTH PUD
PETITION PDD2002-067

WHEREAS, GL HOMES OF FLORIDA II CORP, petitioned the Palm Beach County Board of County Commissioners on April 24, 2003 for an Official Zoning Map Amendment to a Planned Development District Rezoning from the Public Ownership and the Agricultural Reserve Zoning Districts to the Agricultural Reserve Planned Unit Development District; and

WHEREAS, Resolution R-2003-0564, adopted on April 24, 2003 confirming the action of the Board of County Commissioners inadvertently contained errors in Conditions E.7, E.13 and E.14 of Exhibit C; and

WHEREAS, Conditions E.7, ~~E.13~~ and E.14 of Exhibit C of Resolution R-2003-0564 should have read as follows:

- E.7. Prior to December 1, 2003, the Property owner shall commence the construction plans for Lyons Road as a 2 lane facility (expandable to 4 lanes) from a point 280 feet north of Boynton Beach Boulevard to the project's south property line (development area only/LWDD L-26 canal) plus the appropriate tapers. All canal crossings (~~bridges and/or culverts~~) within the project limits shall be constructed from right-of-way line to right-of-way line. ~~All bridges shall be constructed~~ to their ultimate paved configuration. These construction plans shall be approved by the County Engineer based upon Palm Beach County's minimum Construction Plan Standards as they presently ~~exist~~ or as they may from time to time be amended. Plan costs shall be approved by the County Engineer. Required utility relocations shall be coordinated through the Engineering Department, Roadway Production Division. (DATE: MONITORING-Eng)
- E.13. On or before September 1, 2004, the property owner shall prepare and provide to the County all necessary right-of-way acquisition documents including but not limited to surveys, property owners maps, legal descriptions for acquisition, and parceled right-of-way maps required for the construction of Acme Dairy Road ~~as~~ referenced above ~~(with the exception of the left turn lane north approach on Acme Dairy Road)~~ subject to the approval of the County Engineer. Notification ~~shall~~ be given to Land Development Division. (DATE: MONITORING-Eng)
- E.14. Prior to the issuance of the 201st certificate of occupancy the property owner shall complete the construction of Acme Dairy Road as a 2 lane facility from Boynton Beach Boulevard to the project's entrance road plus a round-about at the project's entrance road and the appropriate tapers. All canal crossings within the project limits shall be constructed to their ultimate configuration. Included in this construction shall be the following turn lane improvements at the intersection of Acme Dairy Road and Boynton Beach Boulevard:

- A. left and right turn lane south approach;
left turn lane east approach;

B. left turn lane north approach (this turn lane shall only be required to be constructed if the required right of way has been obtained by Palm Beach County at no cost to the property owner. Failure of the County to obtain the necessary right of way, (inclusive of temporary construction easements, embankment easements, drainage easements, drainage areas, etc.) prior to the letting of the contract for the construction of Acme Dairy Road or September 1, 2005, which shall last occur shall relieve the property owner of having to comply with this condition. ~~prior to the issuance of the 201st certificate of occupancy.~~
~~left turn lane east approach (DATE: MONITORING-Eng)~~

NOW, THEREFORE, **BE IT RESOLVED** BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The foregoing recitals are hereby affirmed and ratified.
2. Conditions E.7, E.13 and E.14 of Exhibit C of Resolution R-2003-0564 are hereby corrected.

Commissioner Koons moved for the approval of the Resolution.

The motion was seconded by Commissioner Aaronson, and upon being put to a vote, the vote was as follows:

Karen T. Marcus, Chair	-	Aye
Tony Masilotti, Vice Chairman	-	Absent
Jeff Kaons	-	Aye
Warren H. Newell	-	Aye
Mary McCarty	-	Aye
Burt Aaronson	-	Aye
Addie L. Greene	-	Aye

The Chair thereupon declared the resolution was duly passed and adopted on June 26, 2003.

Filed with the Clerk of the Board of County Commissioners on 22 day of July, 2003.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: [Signature]
COUNTY ATTORNEY

BY: [Signature]
DEPUTY CLERK

