RESOLUTION NO. R- 80-1400

RESOLUTION APPROVING ZONING PETITION

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. 80-111 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 25 September 1980; 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 would conform to the character of the district and its peculiar suitability for particular uses

2. The proposal would be consistent with the needs of the County for land areas for specific purposes to serve population and economic activities

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 25th day of September, 1980, that Petition No. 80-111 the petition of STANLEY WILSON for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED RESIDENTIAL DEVELOPMENT on Parcel 1, being a part of the West 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 14, Township 44 South, Range 42 East; being more particularly described as follows: Commencing at the center of said Section 14, thence run South 88°28'58" East along the South line of said Northeast 1/4 a distance of 40.0 feet to the Point of Beginning (this bearing is assumed and all other bearings are relative thereto); thence continue South 88°28'58" East a distance of 628.72 feet; thence North 2°04'07" East a distance of 1,297.41 feet; thence North 88°30'03" West a distance of 60.0 feet; thence South 2°04'07" West a distance of 413.96 feet; thence North 88°28'58" West a distance of 400.0 feet; thence South 46°31'02" West a distance of 239.75 feet; thence South 2°08'03" West a distance of 713.90 feet to the Point of Beginning. Said property located on the south side of Purdy Lane, approximately one (1) mile west of Military Trail (S.R. 809), was approved as advertised subject to the following conditions:

1. Petitioner shall construct at the intersection of Purdy Lane and the project's entrance:
   a. Left turn lane, east approach
   b. Left and right turn lanes, south approach

2. Petitioner shall contribute Twenty-four Thousand Dollars ($24,000.00) or Two Hundred Dollars ($200.00) dwelling units toward the cost of meeting this project's direct and identifiable traffic impact to be paid at the time of issuance of the building permit(s).

3. Petitioner shall enter into a formal contract with the School Board of Palm Beach County to contribute four-tenths (4/10) of one percent (1%) of the selling price of each residential dwelling unit in this planned unit development on a one time initial sales basis. However, if an ordinance dealing with this subject matter is adopted, this condition will be superseded by that ordinance; except that regardless of the form or status of any ordinance, this development shall be required to provide as a minimum the above 4/10ths of 1% of the initial sales price toward alleviating some of the development's school impact.

4. The developer will take reasonable precautions during the development of this project to insure that fugitive particulates (dust particles) from the project do not become a nuisance to neighboring properties.

5. The Lake Worth Drainage District will require the West 5.00 feet of the subject property for the right-of-way for Equalizing Canal No. 3 and that portion of the subject parcel lying south of the South line of Tract 24 according to the Model Land Co. Subdivision of Section 14, Township 44 South, Range 42 East. We will accept a Quit Claim Deed or an Easement, on our form, whichever the owner prefers.

6. Development of the subject site shall be limited to one hundred twenty (120) units.

7. Existing trees along the perimeter of the site shall be retained.

8. Petitioner shall contribute $8,250.00 as the pro rata share of the cost of constructing a bicycle/pedestrian path on Purdy Lane.

9. No construction traffic between the hours of 8:00-9:00 A.M. and 2:00-4:00 P.M. while school is in session. A guard must be posted at the project's entrance at the above noted times to insure compliance with this condition.

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

Dennis Koehler, Chairman	-	Aye
Frank Foster, Vice Chairman	-	Aye
Bill Bailey, Member	-	No
Norman R. Gregory, Member	-	Aye
Peggy B. Evatt, Member	-	Aye

The foregoing resolution was declared duly passed and adopted this 14th day of October, 1980, confirming action of 25 September 1980.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: _____
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

Charles F. Schoech
County Attorney