

RESOLUTION NO. R-88-1182

RESOLUTION APPROVING ZONING PETITION NO. 87-4
SPECIAL EXCEPTION PETITION OF HUNT DEVELOPMENT COMPANY

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. 87-4 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on July 23, 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. 87-4, the petition of HUNT DEVELOPMENT COMPANY, for a SPECIAL EXCEPTION TO ALLOW A PLANNED RESIDENTIAL DEVELOPMENT on a parcel of land lying in Sections 30 and 31, Township 44 South, Range 42 East, being all that portion of "The Hunt", as recorded in Plat Book 32 on Pages 119 through 125, inclusive, lying South of the following described line:

Beginning at the intersection of the West boundary line of said Plat with the Southerly right-of-way line of the Lake Worth Drainage District Lateral Canal No. L-13; thence East, along said Southerly right-of-way line, a distance of 881.34 feet to the Easterly right-of-way line of said canal; thence North, along said Easterly right-of-way line, a distance of 30.00 feet to the Southwest corner of Lot 1, Block 1, also being a point on the centerline of a drainage easement,

60.00 feet in width; thence East, along said centerline and the South line of said Lot 1, a distance of 199.97 feet to the Southeast corner of said Lot 1; thence continue East, across Hunting Trail, a distance of 60.00 feet to the Southwest corner of Lot 19, Block 5; thence continue East, along the South lines of said Lot 19 and the Preserve Area, a distance of 280.00 feet to the Westerly terminus of a drainage easement 50.00 feet in width; thence departing from the aforesaid centerline and along the perimeter of said drainage easement, North 41.00 feet; thence East, along the South lines of the Preserve, the lake and Lots 11 and 10, all in said Block 5, a distance of 769.93 feet to the Southeast corner of said Lot 10; thence, departing from said perimeter, continue East, along the easterly prolongation of the South line of said Lot 10, a distance of 60.00 feet to the Westerly boundary line of Lot 1 of said Block 5; thence South, along said Westerly boundary line, a distance of 30.00 feet to the Southwest corner of said Lot 1 and the Westerly terminus of the centerline of a drainage easement 60.00 feet in width; thence East, along said centerline and the South line of said Lot 1, a distance of 290.00 feet to the Southeast corner of said Lot 1; thence continue East, across Hunting Trail, a distance of 60.00 feet to the Southwest corner of Lot 11, Block 4; thence continue East, along the South line of Lots 11 and 10, Block 4, a distance of 290.00 feet to the westerly right-of-way line of the Lake Worth Drainage District Lateral Canal No. L-13 and the terminus of this description. LESS the following described parcel: Commencing at the Southeast corner of Tract 54, Block 27; thence North (an assumed bearing datum), along the east line of Tract 54, a distance of 30 feet to the Point of Beginning; thence continue North along the East line of Tract 45 and 54, a distance of 676.35 feet; thence South 83 degrees 53' 20" West, 255.75 feet to the easterly line of a proposed 60 foot right-of-way, and a point of non-tangency; thence Southerly, along said proposed right-of-way line and along the arc of a curve concave to the east having a radius of 1838.00 feet, a central angle of 00 degrees 35' 32" whose chord bears South 05 degrees 48' 54" East from this point, 19.00 feet to a point of reverse curvature; thence Southwesterly continuing along said proposed right-of-way line, being an arc of a curve concave to the Northwest, having a radius of 303.00 feet and a central angle of 96 degrees 06' 40" whose chord bears South 41 degrees 56' 40" West from this point, 508.27 feet to a point of tangency; thence South, parallel to the East line of Tract 54, a distance of 294.97 feet to a point on a line 30 feet North of and parallel with the South line of Tract 54; thence East along said line, 553.65 feet to the Point of Beginning, located on the east side of State Road 7 (U.S. Highway 441), approximately .5 mile south of Lake Worth Road (SR 802), bounded on the south by Lake Worth Drainage District Canal No. L-14 and bounded on the north by Lake Worth Drainage

District Canal No. L-13, in a RTS-Residential Transitional Suburban Zoning District, was approved as advertised, subject to the following conditions:

1. Property owner shall grant an access easement to the adjacent parcel located in the southeast corner of the project designated on the master plan as an "equestrian area".
2. The developer shall retain the stormwater runoff in accordance with all agency requirements in effect at the time of the permit application. However at a minimum, this development shall retain onsite three (3) inches of the stormwater runoff generated by a three (3) year-one (1) hour storm as required by the Permit Section, Land Development Division. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer. In the event that the drainage system is not adequately maintained as determined by the County Engineer, this matter will be referred to the Code Enforcement Board for enforcement.
3. 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. The Fair Share Fee for this project presently is \$193,362.00 (2,405 trips X \$80.40 per trip).
4. Based on the Traffic Performance Standards (Category "A"), the developer shall contribute an additional \$96,681.00 toward Palm Beach County's existing Roadway Improvement Program, these total funds of \$290,043.00 to be paid prior to the issuance of the first building permit or prior to March 1, 1988 whichever shall first occur.

If the "Fair Share Contribution for Road Improvements Ordinance" is amended to increase the Fair Share Fee, this additional amount of \$96,681.00 shall be credited toward the increased Fair Share Fee.

5. In order to comply with the mandatory traffic performance standards the property owner shall be restricted to the following phasing schedule:
 - a) No more than 82 building permits shall be issued until Lake Worth Road has been constructed as a 4 lane median section from the Turnpike Entrance to State Road 7 plus the appropriate paved tapers.
6. The property owner shall install signalization if warranted as determined by the County Engineer at the

entrance to the Hunt and Lake Worth Road. Should signalization not be warranted after 12 months of the final Certificate of Occupancy this property owner shall be relieved from this condition.

7. Since water service is available to the property, a well shall be not be approved for use on the property.
8. Complete septic tank application for subdivision analysis shall be filed with the Health Department prior to Subdivision Committee review process.
9. No land development activities shall commence for this project until central water service is installed for the existing platted properties to the north within the Hunt Planned Unit Development. The developer agrees to and shall provide central water service to the northern parcel within one (1) year of obtaining a title insurance commitment for this proposal or within 18 months of this approval, whichever shall first occur. Said commitment shall require consents of all property owners in the northern parcel. Petitioner shall provide evidence of this commitment to the Zoning Department.
10. The property owner shall provide to Palm Beach County a road drainage easement within the project's internal lake system which is adjacent to the property capable of accommodating all runoff from those segments of Lake Worth Road and SR 7 along the property frontage and for a maximum 400 foot distance each side of the property boundary lines along Lake Worth Road and SR 7. 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. The design of the system shall assume the ultimate Thoroughfare Plan Section road drainage runoff.
11. Prior to Master Plan certification, petitioner shall submit documentation establishing cross-access agreement and dedication and maintenance responsibility related to required improvements shared at the neighboring development to the north (The Hunt PUD).

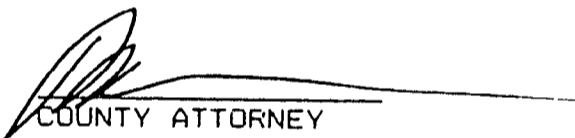
Commissioner Adams, moved for approval of the petition. The motion was seconded by Commissioner Marcus, and upon being put to a vote, the vote was as follows:

Carol A. Roberts	--	Aye
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Aye
Kenneth M. Adams	--	Aye

The foregoing resolution was declared duly passed and adopted this 9th day of August, 1988 confirming action of July 23, 1987.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY:


COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


DEPUTY CLERK

