

RESOLUTION NO. R-83-1045

RESOLUTION APPROVING ZONING PETITION 83-27, Special Exception

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested *in Chapted* 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. 83-27 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24th March 1983; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties **and** the recommendation 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 proposed Special Exception is permissible under the provisions of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 24th day of March, 1983, that Petition No. 83-27 the petition of PHI DELTA KAPPA, FLA NU By Kieran J. Kilday, Agent, for a SPECIAL EXCEPTION TO ALLOW A FRATERNAL ORGANIZATION AND CLUB FACILITY on the North 350 feet of Tract 6 of the Northwest 1/4 of Section 36, Township 44 South, Range 42 East, as recorded in Plat Book 3, Page 10, less the South 210 feet of the North 320 feet of the East 206.94 feet of the West 236.94 feet, and less the North 110 feet; subject to a road easement over the East 15 feet thereof. Said property located on the south side of Canal 14th Road, approximately .4 mile west of Military Trail (S.R. 809) in an AR-Agricultural Residential District, was approved as advertised subject to the following conditions:

1. The property owner shall convey to Palm Beach County within ninety (90) days of approval 54 feet from center-line for the ultimate right-of-way for Haverhill Road approximately an additional 54 feet of right-of-way.
2. The developer shall pay his pro-rata share of the cost of paving Canal 14th Road from Military Trail west to Haverhill Road when warranted by the County Engineer with on-site paving and drainage as required by the paving and drainage permit issued by the Office of the County Engineer.
3. The property owner shall convey a 30 foot access easement from Canal 14th Road to Haverhill Road along the east and south property line, per the County Engineer's approval.
4. The property owner shall convey a 15 foot drainage easement on the east side of the property to maintain the existing north-south drainage.
5. The developer shall contribute One Hundred and Eighty Four Dollars (\$154.00) toward the cost of meeting this project's direct and identifiable impact, to be paid at the time of the building permit.
6. A landscape buffer shall be installed on the west end of the proposed picnic area to protect the existing residence.
7. This use shall not become a nuisance to surrounding properties or the public in general.
8. There shall be no food service permitted at this facility pursuant to Health Department regulations.

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

Peggy E. Evatt, Chairman		ABSENT
Ken Spillias, Vice Chairman	-	AYE
Dennis P. Koehler, Member	-	ABSENT
Dorothy Wilken, Member		AYE
Bill Bailey, Member	-	AYE

The foregoing resolution was declared duly passed and adopted this 13th day of September, 1983, confirming action of 24th March 1983.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Quedus Mable*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John B. Dunkle
County Attorney

