

RESOLUTION NO. R-83-1047

RESOLUTION APPROVING ZONING PETITION 83-32, Special Exception

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. 83-32 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 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 proposed special exception is consistent with the Comprehensive Plan and Mandatory Performance Standards.
2. The proposed use can be accommodated to the subject site while meeting all property development regulations.
3. Provided appropriate smoke recycling measures are employed as required by the Health Department, no significant adverse impacts should result upon nearby residences.

COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 24th day of March, 1983, that Petition No. 83-32, the petition of BROWN-HICKMAN INC., By T.G. Brown and Wallace W. Hickman, Agents, for the SPECIAL EXCEPTION TO ALLOW A CREMATORY, INCLUDING ACCESSORY BUILDINGS AND STRUCTURES on the South 135 feet of the North 191 feet of the East 74 feet o-f Tract 52 of the Sub-division of Section 19, Township 44 South, Range 43 EAst, as recorded in Flat Book 6, Page 66. Said Property located on the south side of L.W.D.D. Canal No. 11, approximately 283 feet west of Congress

Avenue (S.R.802), was approved as advertised subject to the following conditions:

1. The property owner shall execute a Unity of Title to unify the crematory and funeral home sites. prior to site plan certification.
2. The developer must retain onsite 85% of the stormwater runoff generated by a three (3) year storm per requirements of the County Engineers, Land Development Division Permit Section.
3. The developer shall contribute Two Hundred and Fifteen Dollars (\$215.00) toward the cost of meeting this project's direct and identifiable impact, to be paid at the time of the building permit.
4. The developer shall take reasonable precautions during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters.
5. The developer shall take necessary measures during the development of this property to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties.
6. The property owner shall execute a Quit Claim Deed to Lake Worth Drainage District for the right-of-way for L-11 adjacent to the petitioner's property. The north 56' of the East 74' of Tract 52 of the Subdivision of Section 19-44/43 as recorded in Palm Beach 6 Page 66.

Commissioner **Bailey** , moved for approval of the petition.

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

Peggy E. Evatt, Chairmn	- 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: Judith M. [Signature]
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
/County Attorney

