

RESOLUTION NO. R- 83-1100

RESOLUTION APPROVING ZONING PETITION 83-76, 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. 83-76 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28th July 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 Rezoning and Special Exception are consistent with the requirements of the Comprehensive Plan and Zoning Code.
2. A significant stand of cypress should be preserved by both the developer and the County to the maximum extent possible.
3. Development adjacent to the proposed Palmetto Park Road overpass should be acoustically engineered to reflect future noise impacts.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 28th day July 1983, that Petition No. 83-76 the petition of GULESTREAM BAPTIST ASSOCIATION, INC., By Peyton Moore, Director, for a SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on a parcel of land lying in Sections 28 and 29, Township 47 South, Range 42 East, being more particularly described as follows:

Tracts 110 through 113 inclusive, Block 79 together with the southerly 240.00 feet (as measured at right angles to) of Tracts 83 through 91 inclusive, Block 79, Plat of Palm Beach Farms Company Plat No. 3, as recorded in Plat Book 2, Pages 45 through 54 inclusive; Less the

right-of-way of the Florida Turnpike thereof. Said property located on the northwest corner of the intersection of Boca Rio Road and Pondwood Road, approximately 1.5 miles north of Broward County line was approved as advertised subject to the following conditions:

1. This development shall retain onsite the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 73-4, as amended.
2. Within 90 days of this approval, the property owner shall convey for the ultimate right-of-way for:
  - a) Boca Rio Road, 60 feet west of the existing east right-of-way line of Boca Rio Road.
  - b) Palmetto Park Road, the additional right-of-way required for the Turnpike Overpass as shown on the existing Palmetto Park Road bridge plans over the Florida Turnpike Sheet 2 & 3, Exhibit No. 10.
3. The developer shall construct concurrent with the construction of the project's entrance road:
  - a) on to Boca Rio Road a right turn lane, north approach
  - b) onto Palmetto Park Road a left turn lane, west approach
4. The developer shall contribute Twenty Six Thousand Eight Hundred Dollars (\$26,800.00) toward the cost of meeting this project's direct and identifiable impact, credit for this fee shall be given for dedication in lieu of reservation of right-of-way as specified in Condition No. 2b above.
5. The developer shall take reasonable precautions during the development of this to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties.
6. The developer shall take necessary measures during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters.
7. The Master Plan shall be revised, prior to certification, to specify the project's recreation amenities.
8. The existing stands of cypress shall be preserved within this development.
9. Prior to the issuance of building permits, the developer shall provide documentation that the proposed development adjacent to the proposed Palmetto Park Road Overpass has been acoustically engineered to mitigate noise impacts.

Commissioner Wilken , moved for approval

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

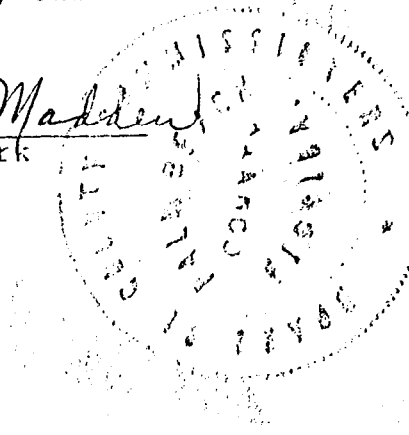
Peggy E. Evatt, Chairman	--	AYE
Ken Spillias, Vice Chairman	--	AYE
Dennis P. Koehler, Member	--	AYE
Dorothy Wilken, Member	--	AYE
Bill Bailey, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this            day of    'SEP 13 1983            , confirming action of 28th July 1983.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Fredy Madden  
Deputy Clerk



APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

John Corbett  
County Attorney