

**RESOLUTION NO. R- 84-70**

**RESOLUTION APPROVING ZONING PETITION 83-128, Special Exce,**

**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**

**WHEREFIS, the notice and hearing requirements as provided for in Chapter 4412.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and**

**WHEREAS, Petition No. 83-128 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 29th September 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 land use and density are consistent with the requirements of the Comprehensive Plan and Zoning Code.**
- 2. In order for this parcel to be incorporated as proposed into the existing non-conforming mobile home park, variance relief must be sought from the Board of Adjustment.**
- 3. Provided that adequate buffering is installed, this development should not have an adverse impact upon adjoining properties.**

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 29th day September 1983, that Petition No. 83-128 the petition of STATE MUTUAL LIFE ASSURANCE COMPANY OF AMERICA By J.W. Zylstra, Agent, for a SPECIAL EXCEPTION TO EXPAND AN EXISTING MOBILE HOME RENTAL PARK on the Southwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of section 24, Township 45 South, Range 42 East, subject to Military Trail (S. R.609) road right-of-way over the West 50 feet and to Lake Worth Drainage District Boynton Canal right-of-way over the South 70 feet of the above described property. Said property located**

on the east side of Military Trail (S.R. 809), approximately .7 miles north of Boynton Road 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. The property owner shall convey for the ultimate right-of-way of Military Trail, sixty (60) feet from centerline approximately an additional ten (10) feet within 90 days of approval; conveyance must be accepted by Palm Beach County prior to issuance of first building permit. The right-of-way shall be for the entire Jamaica Bay Mobile Home Park of which this project is a part.
3. The property owner shall record a boundary plat per the County Engineer's approval prior to the issuance of a tie-down permit.
4. The developer shall construct concurrent with the filing of the first plat:
  - a) Left turn lanes, north approach, on Military Trail, at the project's main entrance road and at the new entrance.
  - b) Right turn lane, south approach on Military Trail at the project's entrance road.
5. The developer shall contribute Five Thousand Five Hundred Dollars (\$5,500.00) toward the cost of meeting this project's direct and identifiable impact, to be paid at the rate of \$125.00 per Mobile Home at the time of issuance of the Mobile Home Tie Down Permit.
6. The developer shall take reasonable precautions during the development of this property to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties.
7. The developer shall take necessary measures during the development of this property to prevent pollutant run off to neighboring and nearby surface waters.
  - a. Property owner shall convey, by either easement or deed, to the Lake Worth Drainage District the south 120 feet of the SW 1/4 of the NW 1/4 of the NW 1/4 of Section 24, Township 45 South, Range 42 East.
9. Prior to site plan certification, the developer shall obtain variance relief from the Board of Adjustment to permit implementation of the proposed site plan or shall submit a revised plan which meets all setback and buffer requirements. Should these variances be granted, the property owner must unify this site and the existing Mobile Home Park with a Unity of Title.
10. The site plan shall be amended to provide for protected pedestrian circulation and to provide for six-foot high opaque screening within the south and west buffer areas and for preservation of as many of the existing slash pines as possible.

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

as follows5

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

The foregoing resolution was declared duly passed and adopted this 10th day of Jan. , 1984 , confirming action of 29th September 1983.

**PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS**

JOHN B. DUNKLE, CLERK

BY:

*Charlene Harris*  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

*John Condit*  
County Attorney