

RESOLUTION APPROVING ZONING PETITION 83-163, 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. 83-163 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 1st December 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 requirements 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 1st day December 1983, that Petition No. 83-163 the petition of DAVID B. AND LEIGHAN R. RINKER for a SPECIAL EXCEPTION TO ALLOW A DRY CARE CENTER on the Southeast 1/4 of Tract 21 of the Southwest 1/4 of the Subdivision of Section 36, Township 44 South, Range 42 East, as recorded in Plat Hook 3, Page 10, Less the South 48 feet for State Road purposes and the East 10 feet for Easement. Said property located on the north side of Lantana West Road, approximately .3 miles west of Military Trail (S.R. 809) was approved as advertised subject to the following conditions:

1. This development shall retain onsite 85% of the storm water runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.

2. The property owner shall convey for the ultimate right of way of Lantana Road, 54 feet from center line approximately an additional 14 feet within ninety (90) days of this approval; conveyance must be accepted by Palm Beach County prior to issuance of the first building permit.
3. The developer shall construct concurrent with the 2nd phase of development (more than 60 children) a left turn lane, west approach on Lantana Road at the project's entrance.
4. The developer shall contribute a total of Five Thousand Eight Hundred and Twenty-Five Dollars (\$5,825.00) toward the cost of meeting this project's direct and identifiable impact; \$2,912.50 to be paid at the time of issuance of the interior remodeling permits for Phase I and \$2,912.50 to be paid at the time of issuance of the Building Permit for the Phase II expansion.
5. The developer will take reasonable precautions during the development of this project to insure that fugitive particulates (dust particles) from the project do not become a nuisance to neighboring properties.
6. The developer will employ measures to prevent runoff of pollutants to any adjacent or nearby surface waters during the development of the property.
7. Prior to certification, the site plan shall be amended to reflect the following:
 - a) Widening to 15 feet and relocation of the access drive to provide for required landscaping outside of the utility easement,
 - b) Preservation of existing significant native vegetation.

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	--	ABSENT
Dennis P. Koehler, Member	--	AYE
Dorothy Wilken, Member	--	AYE
Bill Bailey, Member	--	ABSENT

The foregoing resolution was declared duly passed and adopted this 13th day of March, 1984, confirming action of 1st December 1983.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Lisa Cross
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

John Wilken
County Attorney