

RESOLUTION NO. R-84-1310

RESOLUTION APPROVING ZONING PETITION 84-87, 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. 84-87 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 29th of June 1984; 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. This project is consistent with the requirements of the Zoning Code and Comprehensive Plan.
2. The proposed use will entail negative impacts on the surrounding residential uses, and conditions imposing buffering are necessary to address these impacts.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 29th of June 1984, the petition of JOHN PIGNATO AND HAROLD WILLIAMS By James D. Carlton, Agent, for the SPECIAL EXCEPTION TO ALLOW A CHILD DAY CARE CENTER on a part of the East 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 26, Township 44 South, Range 42 East, being more particularly described as follows:

Beginning at a point 524 feet South of the Northeast corner of said parcel of land, running thence Westerly and parallel with the North line of said parcel a distance of 330 feet, more or less, to the West line of said parcel, thence run Southerly along the West

line of said parcel a distance of 130 feet to the Southwest corner of said parcel; thence run Easterly along the South line of said parcel a distance of 330 feet more or less to the Southeast corner of said parcel; thence run Northerly 130 feet along the East line of said parcel to the Point of Beginning. Said property located on the west side of Haverhill Road, approximately .3 mile north of Meleleuca Lane. was approved as advertised subject to the following conditions:

1. A six foot solid wall shall be installed along the northern property line from the rear of the structure to the rear property line, and along the western property line of the site, supplemented with 10 to 12 foot canopy trees planted 20 feet on center.
2. The developer shall relocate and/or preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measures shall also be taken to protect any individual trees and/or preservation areas during site clearing and construction.
3. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.
4. The developer shall construct a left turn lane, south approach on Haverhill Road at the project's entrance road, when required by the County Engineer.
5. The Developer shall pay a fair share fee in the amount and manner required by "The Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. Presently The Fair Share Fee for this project is \$4250.00.

If the Fair Share Contribution for Road Improvements Ordinance is amended to increase the Fair Share Fee this amount shall be credited toward the increased Fair Share Fee.

6. Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.
7. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.

Commissioner Evatt 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:

KEN SPILLXAS, CHAIRMAN	-- ABSENT
DOROTHY H. WILKEN, VICE-CHAIRMAN	-- AYE
PEGGY B. EVATT	-- AYE
DENNIS P. KOEHLER	-- AYE
BILL BAILEY	-- AYE

The foregoing resolution was declared duly passed and adopted this 11th day of September, 1984, confirming action of the 29th of June, 1984.

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

RW Carlson
COUNTY ATTORNEY

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

JOHN B. DUNKLE, CLERK

BY: *Charles Harris*
DEPUTY CLERK

