

RESOLUTION NO. R- 84-1849

RESOLUTION APPROVING ZONING PETITION 84-88, 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. 84-88 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 30th of July 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. The proposal is consistent with the requirements of the Zoning Code and Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 30th of July 1984, that Petition No. 84-88 the petition of JOSEPH H. KIRBY TRUSTEE, By Kieran J. Kilday, Agent, for a SPECIAL EXCEPTION TO ALLOW A COMMERCIAL KENNEL on the Northwest corner of Tract 12, Block 18, in Section 12, Township 44 South, Range 41 East, run 89 degrees 43'29" from South to East a distance of 778.0 feet to a point in the West right-of-way line of S.R. 441, thence angling 87 degrees 24'09" from West to South along the West right-of-way line a distance of 449.0 feet to a point, thence angling 91 degrees 30'54" from North to West a distance of 220.0 feet to a point, thence angling 175 degrees 57'42" from East thru South to West a distance of 535.6 feet to a point 189.22 feet North of the Southwest corner of Tract 12, Block 18, thence North along the West line of said Tract 12, a distance of 471.12 feet to the Point of

Beginning. Less that portion for road easement, as recorded in Plat Book 2, Page 47. Said property located on the west side of State Road No. 7 (U.S. 441), approximately 5 mile north of Forest Hill Boulevard in an AR-Agricultural Residential District was approved subject to the following conditions:

1. The use of the office space on the site shall be strictly limited to veterinary activity and business uses ancillary to the operation of the kennel facility.
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. 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.
4. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
5. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year one hour storm per requirements of the Permit Section, Land Development Division.
6. The property owner shall convey for the ultimate right of way of S.R. 7, 240 feet west of the west right of way line of the E-1 Canal, within two (2) years of adoption of the resolution by the Board of County Commissioners, or as required by the County Engineer, whichever shall first occur.
7. The developer shall construct concurrent with onsite paving and drainage improvements, pursuant to a paving and drainage permit issued from the office of the County Engineer, a left turn lane, south approach on S.R. 7 at the project's entrance road.
8. The developer shall pay the fair share fee in the amount and manner required by the Fair Share Contributions 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 \$2,013. 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.

Commissioner Bailey I 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:

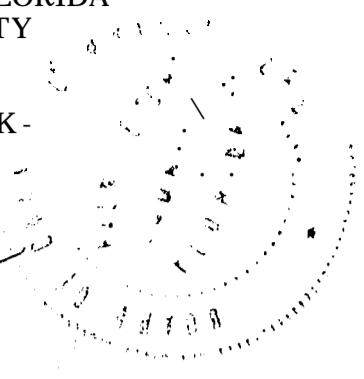
Ken Spillias, Chairman	-- AYE
Dorothy Wilkens, Vice Chairman	-- AYE
Peggy Evatt, Member	-- ABSENT
Dennis P. Koehler, Member	-- ABSENT
Bill Bailey, Member	-- AYE

The foregoing resolution was declared duly passed and adopted this day of August confirming action of the 30th July 1984.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK-

BY: Donna McWilliam  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

Stanley Grogan  
County Attorney