

RESOLUTION NO. R-85- 466

RESOLUTION APPROVING ZONING PETITION 84-135, 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. 84-135 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 3rd of October, 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. With modification of the site plan, the proposal will be consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 27th of September 1984, that Petition No. 84-135 the petition of SUNRISE SAVINGS AND LOAN ASSOCIATION By Paul G. Parker, Agent, for a SPECIAL EXCEPTION TO ALLOW A PLANNED OFFICE BUSINESS PARK on the East 159.83 feet, as measured at right angles to; of the Southwest 1/4 of the Northwest 1/4 of the Southwest 1/4 of Section 1, Township 46 South, Range 42 East, Less, however, the North 445.0 feet thereof as measured at right angles and less the South 50.0 feet thereof as measured at right angles for the right-of-way of Coconut Road together with:

The South 1/2 of the West 412.00 feet of the East 1/2 of the Northwest 1/4 of the Southwest 1/4 of Section 1, Township 46 South, Range 42 East. Said property located on the north side of Coconut

.Lane, approximately .1 mile east of Military Trail (S.R.809) was approved as advertised subject to the following conditions:

1. Prior to certification by the Site Plan Review Committee, the site plan shall be amended to reflect:

- a) the required 25' two-way access width.
- b) the required handicap parking spaces.

2. 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.

3. The developer shall take necessary measures during the development of this property to prevent pollutant run-off to neighboring and nearby surface waters.

4. 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.

5. The property owner shall convey for the ultimate right of way of:

- (A) Military Trail, 60 feet from centerline,
- (B) Coconut Lane, 40 feet from centerline

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All within 90 days of adoption of the Resolution by the Board of County Commissioners; all conveyances must be accepted by Palm Beach County prior to issuance of first Building Permit.

6. 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) Coconut Lane as a 3-lane section from Military Trail East to the project's East entrance, plus the appropriate tapers per the County Engineer's approval, and
- (B) Right Turn Lane, South approach, on Military Trail at the project's entrance road. (C) Left turn lane north approach on Military Trail at the projects entrance road.

7. 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 \$13,500.00.

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

Based on the amount of traffic generated by this development, the Developer has agreed to contribute an additional \$12,500.00 toward Palm Beach County's existing Roadway Improvement Program, to be paid within six months of the approval date by the Board of County Commissioners or prior to the issuance of a building permit, whichever shall first occur.

8. Any fuel or chemical storage tanks shall be installed with protection against leakage or spillage due to corrosion, breakage, structural failure or other means. The design and installation plans will be submitted to the Health Department for approval prior to installation.

9. Any toxic or hazardous waste generated at this site shall be

properly handled and disposed of in accordance with Chapter 17-30, F.A.C. ■

10. Only one access onto Military Trail shall be permitted, at a point 500 feet north of Coconut Lane.

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:

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

The foregoing resolution was declared duly passed and adopted this day of _____ confirming action of the 3rd of October, 1984 ■

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Kathy D. South*
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

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Sandy Sprague
County Attorney