

RESOLUTION NO. R-85-655

RESOLUTION APPROVING ZONING PETITION 84-190, 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. 84-190 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 24th January 1985; 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 proposal is 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 24th of January 1985, that Petition No. 84-190 the petition of KENNETH J. AND ALICE M. SIMMONS for a SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT on the South 360 feet of the East 70 feet of the West 1/2 of the West 1/2 of the Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of said Section 24, Township 44 South, Range 42 East, Less the South 60 feet for Right-of-way of Lake Worth Road (S.R. 802). Said property located on the north side of Lake Worth Road (S.R. 802), approximately .5 mile west of Military Trail (S.R. 809) was approved as advertised subject to the following conditions:

1. No outdoor or open air kennels shall be permitted.
2. 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.

3. 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 \$750.00.

4. The property owner/developer shall be limited to only one access onto Lake Worth Road. This property owner shall **make** access available to the property owner **to** either the east or west side of this subject property when these parcels are developed. The intent of this condition shall be to limit the number of access locations **by** the use of joint access drives.

5. Prior to certification by the Site Plan Review Committee, variance relief shall be secured from the Board of Adjustment to accommodate the substandard side interior setback.

Commissioner **Spillias** , moved for approval of the petition. The motion was seconded by Commissioner **Owens** , and upon being put to a vote, the vote was as **follows**:

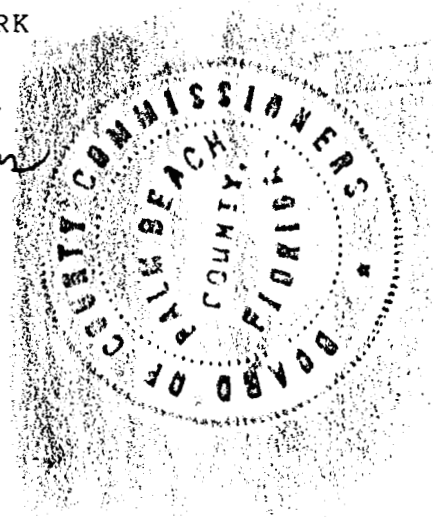
Ken Spillias, Chairman	--	AYE
Dorothy Wilken , Vice Chairman	--	ABSENT
Kenneth M. Adams, Member	--	AYE
Karen T. Marcus, Member	--	AYE
Jerry L. Owens, Member	--	AYE

The foregoing resolution **was** declared duly passed and adopted this 23rd day of **April**, 1985, confirming action of the 24th January 1985.

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

Sandy Sprague
County Attorney