

RESOLUTION NO. R-85-659

RESOLUTION APPROVING ZONING PETITION 85-4, 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. 85-4 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, RE 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. 85-4 the petition of BARRY C. & LETTY GOTTLIEB for a SPECIAL EXCEPTION TO ALLOW A PRIVATE CEMETERY on the Northeast 1/4 of the East 1/2 of Tract 2, Block "D", Loxahatchee Groves, in Section 32, Township 43 South, Range 41 East, as recorded in Plat Book 12, Page 29, Said property located on the west side of "E" Road (140th North Avenue), approximately .9 mile south of Okeechobee Road (S.R. 704), in an AR-Agricultural Residential District was approved as advertised subject to the following conditions:

1. 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.
2. **The** petitioner shall comply with all provisions of Palm Beach County Subdivision and Platting Ordinance 73-4 as amended.

3. The exact description of the burial plot must be described by a survey prepared by a Florida registered professional land surveyor. Certification of location of burial within that plot must be secured from licensed funeral director. Further, a declaration of restrictions must be recorded in the official records of Palm Beach County.

4. The existing and high water table elevation (after a storm of 20 years frequency and 24 hour duration) at the location of burial plot must be determined by a Florida registered professional land surveyor.

5. A waterproofed concrete or steel vault capable of withstanding flotation must be used to enclose the casket.

6. A minimum grave depth of six (6) feet must be used. The bottom of the grave must be at least two (2) feet above the high water table elevation. If mounding above natural ground is required to accomplish these criteria the side slopes of the mound must not be steeper than 10 feet horizontal to 1 foot vertical. The top of the mound must be flat over an area at least 10 feet in each direction of the horizontal projection of the vault before the slope to natural ground begins, Slopes are to be stabilized by sodding.

7. Permanent markers must be placed at least 10 feet away from the toe of the slope around the periphery of the grave site if mounding is required.

8. A completed declaration of restrictions, acceptable to the County Attorney's Office shall be recorded in the official records of Palm Beach County prior to certification by the Site Plan Review Committee.

9. The property owner shall file a plat on the subject parcel, including but not limited to the location of the burial plot and boundary of the entire parcel.

Commissioner Owens, moved for approval of the petition. The motion was seconded by Commissioner Marcus, 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

