

RESOLUTION NO. R- 85-807C

RESOLUTION APPROVING ZONING PETITION 85-25, 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. 85-25 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 28th March 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 28th of March 1985, that Petition No. 85-25 the petition of DANIEL R. AND CONSTANCE L. YOUNG By Paul Parker, Agent, for a SPECIAL EXCEPTION TO ALLOW A CHILD DAY CARE CENTER on a parcel of land, being a part of the East 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 1, Township 41 South, Range 41 East, being more particularly described as follows:

Commencing at the Northeast corner of Section 1, Township 41 South, Range 41 East; thence South 88 degrees 53'27" West, along the North line of said Section 1 for 1989.96 feet to the Point of Beginning; thence South 00 degree 51'20" West for 410.44 feet; thence North 88 degrees 53'30" East for 663.32 feet; thence North 00 degree 51'20" East for 410.44 feet to the North line of said Section 1; thence South 88 degrees 53'27" West for 663.32 feet to the point of

Beginning. Less the North 90 feet thereof for Canal and Road Right-of-way. Subject to an easement for ingress and egress and drainage over the West 40 feet and the East 40 feet. Said property located on the southeast corner of the intersection of Indiantown Road (S.R.706) and 103rd Terrace in an AR-Agricultural Residential District was approved as advertised subject to the following conditions:

1. Prior to site plan certification the site plan shall be revised to reflect the following:

a) Required landscaping pursuant to Section 4.D.1., (Required landscaping adjacent to public and private rights-of-way).

b) Corrected site data and graphic delineation of the required child outdoor activity area pursuant to Section 500.12 of the Zoning Code.

2. 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.

3. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.

4. The developer shall construct at the project's entrance road and Indiantown Road, concurrent with Phase 2 (more than 75 children enrolled):

a) a left turn lane, east approach, on Indiantown Road at the project's entrance road,

b) a left turn lane, south approach, on Indiantown Road, at the project's entrance road.

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 \$7,200.00, to be paid at the rate of \$1.00 per square foot.

6. 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.

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

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

The foregoing resolution was declared duly passed and adopted this 21 day of May, 1985 confirming action of the 28th March 1985.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Jean D. Ellington  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

Sandy Sprague  
County Attorney