

RESOLUTION NO. R-85-1241

RESOLUTION APPROVING ZONING PETITION 85-70, 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. 85-70 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 28th June 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. With minor modification to the site plan, 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 June 1985, that Petition No. 85-70 the petition of FLORIDA POWER & LIGHT COMPANY By Frank G. Baynham, Agent, for a SPECIAL EXCEPTION TO ALLOW AN ELECTRIC POWER AND LIGHT SUBSTATION AND SERVICE FACILITIES, INCLUDING ACCESSORY BUILDINGS AND STRUCTURES on the East 1550.00 feet of the North 1/2 of the South 1/2 of the North 1/2 of the Northeast 1/4 of Section 13, Township 46 South, Range 41 East:, Said property located on the west side of State Road 7 (U.S. 441) approximately .8 mile north of Delray West Road 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 amended to include the following:

- a) Boundary dimensions of the site.
 - b) A minimum of a 2 1/2 foot landscape strip with attendant landscaping per Palm Beach County Code along the South property line where vehicular use areas abut adjacent properties.
 - c) The site data block shall include the total site area and total lot coverage.
2. The developer shall preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measures shall also be taken to protect these preservation areas during site clearing and construction.
 3. 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.
 4. The property owner shall convey for the ultimate right-of-way of State Road 7, 240 feet west of the existing west right-of-way line of the Lake Worth Drainage District E-1 Canal, within 90 days of adoption of the Resolution by the Board of County Commissioners; conveyance must be accepted by Palm Beach County prior to issuance of first Building Permit.
 5. The Property owner shall construct on State Road 7 at the project's entrance road a Left Turn Lane, South Approach, concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer.
 6. The Property owner 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. The Fair Share Fee for this project presently is \$3,268.00.
 7. The Property owner shall obtain an onsite Drainage Permit from the Palm Beach County Engineering Department Permit Section prior to the issuance of a Building Permit.
 8. The Property owner shall obtain a Turnout Permit from the Florida Department of Transportation for access onto State Road 7.
 9. 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.
 10. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
 11. 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.
 12. The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.

Commissioner Owens, 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:

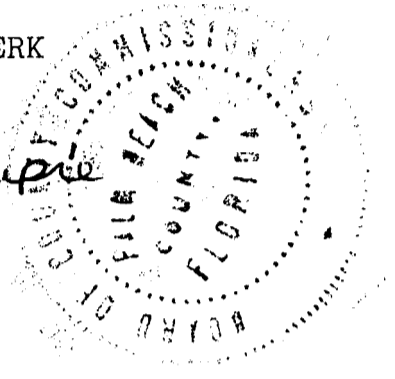
Ken Adams, Chairman	--	AYE
Karen T. Marcus, Vice Chairman	--	ABSENT
Kenneth Spillias, Member	--	AYE
Jerry L. Owens, Member	--	AYE
Dorothy Wilken, Member	--	AYE

The foregoing resolution was declared duly passed and adopted
this **13th** day of **August** confirming action of the 28th June 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Cheryl Beupre
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Audy Sprague
County Attorney