

. RESOLUTION NO. R- 85-1965

RESOLUTION APPROVING ZONING PETITION 85-120, 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. 85-120 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 30th September 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 modifications, this 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 30th of September 1985, that Petition No. 85-120 the petition of D.J. SNAPP, 111, for a SPECIAL EXCEPTION TO ALLOW A MOBILE HOME RENTAL PARK on the South 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 13, Township 44 South, Range 42 East, less the West 415 feet thereof and also less the South 25 feet thereof for road right-of-way. Said property located on the north side of Park Avenue approximately 350 feet East of Military Trail (S.R. 809) being bounded on the north by Dale Road and on the East by Donald Road was

approved as advertised subject to the following conditions:

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

a) Certification of employment of two (2) land use professionals in the design and development of the project plans pursuant to Code Section 500.22.8.

b) Reduction of the total number of dwelling units to a maximum of (7.0) dwelling units per gross acre.

c) Delineation of existing dense and significant wooded areas.

d) A twenty-five (25) foot wide minimum M.H.R.P buffer completely encircling the perimeter of the site with all proposed structures meeting or exceeding the minimum yard setback requirements pursuant to Section 500.22.K.1,2, and 3. This includes relocation of pool and decking and covered picnic structures to within required setback limits, measured from the inside of the M.H.R.P. buffer area.

e) Perimeter lot rear setback lines measured from the inside edge of the M.H.R.D. buffer area pursuant to Section 500.22.K.1.A.

f) Provision for a pedestrian circulation system pursuant to Section 500.22.J.8.

g) Minimum yard setback lines pursuant to Section 500.22.K.a,b, and c. The number of lots shall be reduced, if necessary, to accommodate the required minimum yard setback areas.

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. 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.

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

5. This development shall retain onsite the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 73-4, as amended.

6. The property owner shall convey for the ultimate right-of-way of Donald Road and Park Avenue, 30 feet from centerline (approximately an additional 5 feet) all within 90 days of adoption of the Resolution by the Board of County Commissioners; and conveyances must be accepted by Palm Beach County prior to issuance of first Building Permit. The property owner shall convey for the ultimate right-of-way of Dale Road 40 feet from centerline from Military Trail to Donald Road.

7. The property owner shall construct Dale Road as a 24' paved road, from Donald Road west to Military Trail concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer. Dale Road west of

Donald Road shall align with the existing Dale Road east of Donald Road and the petitioner shall provide any rights-of-way and/or construction modifications necessary to accomplish this.

8. The property owner shall plat the subject property per the County Engineer's Approval.

9. The petitioner shall revise the Master Plan to provide for access from this site onto Dale Road.

10. The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.

11. The property owner shall not draw any building permits or tie-down permits for mobile homes until the moratorium on sewer service is lifted.

12. The developer shall construct an opaque buffer within the required 25 foot M.H.R.P. buffer to consist of a combination of four foot high earth berm and landscaping; and abutting the commercial area a solid masonry wall. The landscape treatment of the buffer shall be maintained in good condition at all times and replanted as necessary.

13. Full-time property management shall be provided for this mobile home rental park.

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

The foregoing resolution was declared duly passed and adopted this 3rd day of December 1985 confirming action of the 30th September 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Linda C. Heckman
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Audrey Gray
County Attorney

FILED THIS DAY OF
..... DEC. 03, 1985
AND RECORDED IN
MINUTE BOOK NO. AT
PAGE RECORD VERIFIED
JOHN B. DUNKLE, CLERK
BY L.H. D.C.