

RESOLUTION NO. R- 86-128

RESOLUTION APPROVING ZONING PETITION 85-140, 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. 85-140 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 30th October 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 site plan modification, 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 October 1985, that Petition No. 85-140 the petition of CAROL E. SANFORD By Robert A. Bentz, Agent, for a SPECIAL EXCEPTION TO ALLOW A CHILD DAY CARE CENTER on the North 100 feet of the South 1033 feet of the West 247 feet of the Southwest 1/4 of Section 25, Township 43 South, Range 42 East; LESS the Westerly 40 feet thereof for the Right-of-way of Haverhill Road. Said property located on the east side of Haverhill Road, approximately .2 mile north of Belvedere Road in an RH-Residential Multiple Family District (High Density) was approved as advertised subject to the following conditions:

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

a) Five (5) - 10-12 foot high canopy trees shall be planted within the front perimeter landscape strip and islands along the front property line.

b) The parking stall that encroaches the safe corner shall be replaced by a landscape strip.

c) The sign that encroaches the safe corner area will be relocated to conform with the location requirements of the County Sign and Landscape Code.

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. Security lighting shall be directed away from nearby residences.

4. 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.

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

6. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-one (1) hour storm per requirements of the Permit Section, Land Development Division.

7. 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 \$5,733.00 (714 trips X \$26.79 per trip).

8. The property owner shall obtain an onsite Drainage Permit from the Palm Beach County Engineering Department Permit section prior to the application of a Building Permit.

9. The property owner shall obtain a Turnout Permit from the Palm Beach County Engineering Department, Permit Section for access onto Haverhill Road.

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

11. Total signage ad-copy area shall not exceed thirty (30) square feet, and not to exceed fifteen (15) square feet per side. The sign shall not be illuminated.

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

The foregoing resolution was declared duly passed and adopted this day of **FEB 11 1986** confirming action of the 30th October

1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney