

RESOLUTION NO. R- 86-469

RESOLUTION APPROVING ZONING PETITION 85-118(A), 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. 85-118(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 30th December 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 amendments, 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 December 1985, that Petition No. 85-118(A) the petition of D.J. SNAPP, III, for a SPECIAL EXCEPTION TO ALLOW A PLANNED OFFICE BUSINESS PARK on Lot 5 and 6, Drew Manor, in Section 18, Township 44 South, Range 43 East, as recorded in Plat Book 21, Page 36, Less the East 17 feet thereof. Said property located on the west side of Congress Avenue (S.K. 807) approximately 0.7 mile south of Forest Hill Boulevard (S.R. 882), and being bounded on the South by L.W.D.D. Lateral Canal No. 9 was approved as advertised subject to the following conditions:

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

- a) provision for the required fifteen (15) foot minimum accessway at the right-of-way.

- b) a twenty (20) foot two-way interior access along the southwestern portion of the northwestern building.
 - c) gross building square footage of the southernmost building.
 - d) required and proposed interior landscaping calculations.
 - e) minimum five (5) foot interior landscape islands.
 - f) a six (6) foot wall supplemented with one (1) tree planted every 30 feet on center along property lines abutting residential properties.
 - g) ultimate right-of-way dimensions for Congress Avenue.
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 hour storm per requirements of the Permit Section, Land Development Division.
 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 Congress Avenue.
 9. The property owner shall convey for the ultimate right of way of Congress Avenue, 53 feet from centerline 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.
 10. The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.

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

The foregoing resolution was declared duly passed and adopted this 8th day of April, 1986 confirming action of the 30th December 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara O'Kelly
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

10/08/08

Reedy Spry
County Attorney