

RESOLUTION NO. R- 86-573-1

RESOLUTION APPROVING ZONING PETITION 78-287(C), Special Exception

WHEREAS, the Board of County Commissioners, as the zoning authority, 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. 78-287(C) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 30th January 1986; 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 30th of January 1986, that Petition No. 78-287(C) the petition of COREPOINT CORPORATION By F. Martin Perry, Attorney, for a SPECIAL EXCEPTION TO AMEND THE MASTER PLAN FOR THE LANDINGS OF WELLINGTON PLANNED UNIT DEVELOPMENT, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 78-287 and 78-287(A), TO INCLUDE A DAY CARE CENTER, ELEMENTARY SCHOOL, AND RELOCATE THE WATER TANK SITE TO POD 5 more particularly described as a Parcel lying in Section 18, Township 44 South, Range 41 East, Less :

The North 50.00 feet thereof, The East 88.00 feet thereof, The South 50.00 feet thereof, The West 100.00 feet thereof,

That certain 80 foot road right-of-way described in Official Record Book 2742, Pages 1516 through 1520, and less Wellington Aero Club of

the Landings at Wellington - Planned Unit Development, as recorded in Plat Book 38, Pages 159 through 164. TOGETHER WITH THE FURTHER AMENDMENT TO CREATE A COMMERCIAL AREA WITHIN POD 3 MORE PARTICULARLY DESCRIBED as a parcel of land lying in Section 6, Township 44 South, Range 41 East, Less:

The North 155.00 feet thereof,

The East 80.00 feet thereof, The West 100.00 feet thereof, and less all that portion of Acme Improvement District Canal C-10 lying in said Section 6 as shown on the Plat of Woodfields No. 1 of The Landings at Wellington - Planned Unit Development as recorded in Plat Book 43, Pages 82-85,

together with that part of Section 7, Township 44 South, Range 41 East lying Easterly of the Easterly limits of the plat of Meadow Wood of the Landings at Wellington Planned Unit Development, as recorded in Plat Book 39, Pages 38 through 41, and lying Northerly of the North line of Aero Club Drive as shown on said plat of Meadow Wood of the Landings at Wellington Planned Unit Development. Said property located on the north and south side of Aero Club Drive approximately 800 feet west of Paddock Drive, being bounded on the east by Acme Improvement District Canal No. C-2; and approximately 430 feet east of Aero Club Drive, approximately 200 feet south of Meadow Wood Drive in an RE-Residential Estate District was approved as advertised subject to the following conditions:

1. Prior to certification of the master plan at Site Plan Review Committee Meeting, the master plan shall be amended to reflect:

a) the acreages of the proposed day care facility and the proposed water tank site.

b) the tabular shall reflect a current dwelling unit count for all pods that have been site planned and/or platted.

2. All conditions previously approved pursuant to Zoning Petition Number 78-287 and 78-287(A) shall remain in effect, unless superseded or modified herein.

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 construct left and right turn lanes at the project's entrance road(s) concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer.

5. 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: (a) phase one (up to 170 students day care) \$18,217, (b) phase two (200 students private school) \$17,146.

6. The property owner shall plat the subject property per the County Engineer's approval.

7. 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.

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

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

10. The developer shall install either a six (6) foot high wall with one (1) 10-12 foot canopy tree planted 30 feet on center or a 75 percent opaque landscape buffer along the commercial property lines abutting residential areas.

Commissioner Spillias, 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:

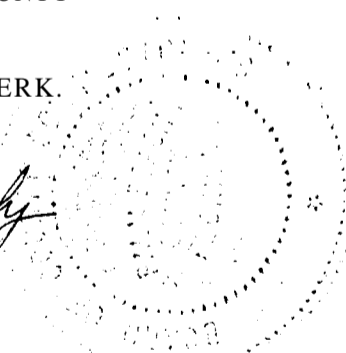
Karen T. Marcus, Chairman	--	ABSENT
Jerry L. Owens, Vice Chairman	--	AYE
Kenneth Spillias, Member	--	AYE
Dorothy Wilken, Member	--	AYE
Kenneth M. Adams, Member	--	ABSENT

The foregoing resolution was declared duly passed and adopted this 22nd day of April, 1986 confirming action of the 30th January 1986.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN E. DUNKLE, CLERK.

BY: *Barbara O. Pugh*
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Rudy Spitzer
County Attorney