

RESOLUTION NO. R- 86-573-27

RESOLUTION APPROVING ZONING PETITION 86-13, 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 4132.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 86-13 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. 86-13 the petition of FORREST C. MOBLEY, TRUSTEE, By F. Martin Perry, Esquire for a SPECIAL EXCEPTION TO ALLOW A PLANNED OFFICE BUSINESS PARK on the North 1/2 of Lot 3, Cluck 2 of "Palm Beach Pldntations" a subdivision of Section 1, Township 44 South, Range 42 East, as recorded in Plat Book 10, Page 20.

LESS the North 30 feet for Gun Club Road Right-of-Way.

LESS, also, the East 303.00 feet.

Said property located on the south side of Gun Club Road, approximately 200 feet west of Military Trail (S.R. 809) was approved as advertised subject to the following conditions:

1. Prior to Site Plan Certification, the site plan shall be amended to reflect:

a) no signs encroaching either the required five (5) foot. setback or landscape strip.

b) incorporation of significant. native vegetation into the overall design. Parking calculations may be based on leasable floor area in order to accommodate the vegetation.

2. The developer shall preserve existing vegetation wherever possible and 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. 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. This drainage system shall be maintained in an acceptable condition per the County Engineers approval.

6. The property owner shall convey for the ultimate right-of-way of Gun Club Road, 40 feet from centerline,

all within 90 days of auption of the Resolution by the Board of County Commissioners; conveyance must be accepted by Palm Beach County prior to issuance of first Building Permit.

7. The property owner shall construct a right turn lane, west approach on Gun Club Road at each of the project's entrance roads concurrent with the 4 laning of Gun Club Road.

8. 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 \$49,186.00 (1,836 trips X \$26.79 per trip).

9. Based on the Traffic Performance Standards (Category "B"), the Developer shall contribute an additional \$12,297.00 toward Palm Leach County's existing Roadway Improvement Program, these total funds of (\$61,483.00) to be paid prior to June 1, 1987.

10. Palm Beach County will require a 20 foot drainage easement along on the west property line.

11. 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.

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

13. The property owner shall provide construction plans for Gun Club Road as a 4 lane undivided section (expandable to 5 lanes from the existing 4 lane undivided terminus west of Military Trail west. to a point 200 feet. west of the project's property line) plus the appropriate tapers. These construction plans shall be per the County Engineer's approval based upon Palm Ceach County's minimum Construction Plan Standards as they presently exist. or as they may from time to time be amended. These construction plans shall be completed within six (6) months of Special Exception Approval. Plan costs shall be approved by the County Engineer.

14. The property owner shall construct Gun Club Road as a 4 lane undivided section from the existing 4 lane terminus west of Military Trail west to a point 200 feet west of project's west property line per Condition No.13. This construction shall be completed within 12 months or prior to the issuance of a building permit whichever shall first occur. Credit for the impact fee shall be given for this road construction as outlined in Condition No.13 and No.14.

15. Minimum landscaping shall be installed incorporating areas of preservation prior to issuance of Certificate of Occupancy.

16. The 75% opaque landscape buffer shall consist of any combination of the following: a 3-4 foot berm, continuous 24" nedge planted 18-24" on center and/or a solid wall supplemented with one (1) 10-12 foot canopy tree planted 20 feet on center.

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:

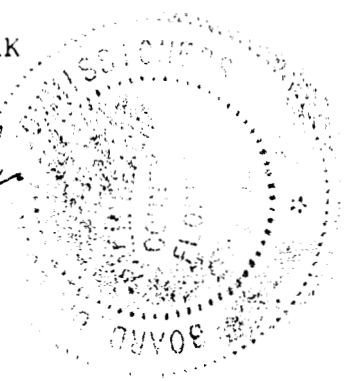
Karen T. Marcus, Chairman	--	AYE
Jerry L. Owens, Vice Chairman	--	AYE
Kenneth Spillias, Member	--	AYE
Dorothy Wilken, Member	--	ABSENT
Kenneth M. Adams, Member	--	ABSENT

The foregoing resolution was declared auly 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 B. DUNKLE, CLERK

BY: Barbara O'Paly
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Randy Ingram
County Attorney