

RESOLUTION NO. R- 86-637

RESOLUTION APPROVING ZONING PETITION 86-12, 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. 86-12 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 27th February 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.
2. The schools serving petition 86-12 are currently at or above capacity. In efforts to mitigate the school impact, the petitioner has voluntarily agreed to participate in the School Site Acquisition Plan.
3. The petitioner has voluntarily agreed to provide to the School Board of Palm Beach County \$250.80 for each of the dwelling unit sites in the subject development. These funds shall be used by the School Board of Palm Beach County for school site acquisition and/or site related improvements of schools serving the area of Palm Beach County in which the petition is located.
4. Payment shall be made in full to the School Board of Palm Beach County at time of issuance of the first residential building permit within the petition.
5. Petitioner shall enter into formal contract with the School Board to assure timely payment.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 27th of February 1986, that Petition No. 86-12 the

petition of LONG LAKE ASSOCIATES, LTD., By Dennis Koehler, Agent, for a SPECIAL EXCEPTION TO ALLOW A MOBILE HOME RENTAL PARK on ~~PARCEL B~~:

A parcel of land lying in the North 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 12, Township 44 South, Range 42 East, being more particularly described as follows:

Commencing at the Southeast corner of the North 1/2 of Lot 8, Block 2, Section 12 according to the plat of Palm beach Plantations thereof as on file in Plat Book 10 at Page 20; thence North 2 degrees 37'34" West along the East line of said Lot 8 a distance of 666.42 feet to the Northeast corner of said Lot 8; thence South 89 degrees 58'10" West along the North line of said Lot 8 a distance of 172.00 feet; to the point of beginning of the herein described parcel; thence South 00 degree 00'00" East a distance of 108.64 feet; thence South 13 degrees 00'00" East a distance of 32.95 feet; thence North 77 degrees 00'00" East a distance of 138.53 feet; thence South 13 degrees 00'00" East a distance of 138.53 feet; thence South 77 degrees 00'00" West a distance of 138.53 feet; thence South 13 degrees 00'00" East a distance of 95.00 feet to the beginning of a curve concave to the West having a radius of 187.00 feet; thence Southerly 158.29 feet along said curve to the beginning of a compound curve concave to the Northwest having a radius of 99.5 feet; thence Southwesterly along said curve a distance of 59.04 feet; thence South 20 degrees 30'00" East a distance of 48.00 feet; thence South 00 degree 00'00" West a distance of 73.80 feet to a point in the South line of the North 1/2 of said Lot 8; thence North 90 degrees 00'00" West; along the said South line a distance of 1130.61 feet to a point on the West line of said Section 12; thence North 2 degrees 36'43" West along the said West line a distance of 665.72 feet to the Northwest corner of Lot 7, Block 2 of the said Plat of Palm Beach Plantations; thence South 89 degrees 58'10" West along the North line of said Lots 7 and 8 a distance of 1161.13 feet to the Point of Beginning; subject to right-of-way over the West 40 feet thereof. Said property located on the east side of Haverhill Road, approximately .3 miles south of Summit Boulevard in an RM-Residential Multiple Family District (Medium Density) was approved as advertised subject to the following

conditions :

1. The developer shall preserve existing veyetation wherever possible and incorporate said vegetation into the project desiyn. Appropriate measures shall also be taken to protect these preservation areas during site clearing and construction.
2. 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.
3. The property owner shall convey for the ultimate riht of way of Haverhill Road on an alignment approved by the County Engineer (a total of 80 foot right-of-way) within 98 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.
4. The property owner shall provide Palm Beach County a road drainage easement within the project's internal lake system for legal positive outfall to accommodate the runoff of Haverhill Road along the property frontage and for a maximum 400 Foot distance each side of the property boundary lines along Haverhill Road. The drainage system within the project shall have sufficient retention/detention capacity to accommodate the ultimate Thoroughfare Plan Section road drainage runoff and be subject to all governmental agency requirements.
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 \$52,662.00 (655 trips X \$80.40 per trip).
6. The project will be allowed access to Kelmar Drive until Haverhill Koad access is available, at that time the Kelmar access shall be permanently closed. Kelmar Drive shall be resurfaced, with drainage improvements to accommodate drainage for Kelmar Drive, by this developer, as approved by the County Engineer. These improvements will be made to Kelmar Drive from Military Trail to the project's entrance, prior to issuance of the 60th mobile home tie-down permit.
7. The property owner shall execute a unity of title on the remaining property to the east. Access to these existing duplexes shall be through the proposed Mobile Home Park, as soon as Haverhill Road access is available.
8. There shall be no access to Mango Drive at any time.
9. 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.
10. The property owner shall obtain a Turnout Permit from the Palm Beach County Engineering Department, Permit Section for access onto Haverhill Road.
11. The property owner shall recora a boundary plat of the site per the County Engineers approval.
12. If access to Kelmar Drive effects the recreation facility site, within 90 days of approval the petitioner shall provide cost estimates to be approved by the County Engineer for installation of the recreation facility, ana then post surety acceptable to the County Attorney, to ensure installation of the recreation facility.
13. The petitioner shall construct a six-foot masonry wall along the entire haverhill Road frontage of this site, except for the access to

Haverhill Road.

14. Piobile homes shall be only transported on Kelmar Drive during the hours of 8 a.m. to 6 p.m..

15. The sewer ana water lines for this project shall be extended to this site along Kelmar Drive.

Commissioner Wilken , moved for approval of the petition. The motion was seconded by Commissioner Spillias , and upon being put to a vote, the vote was as follows:

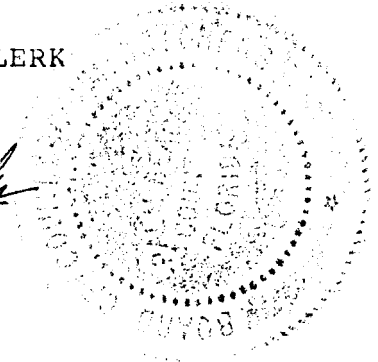
Karen T. Marcus, Chairman	--	AYE
Jerry Owens, Vice Chairman	--	AYE
Dorothy Wilken, Member	--	AYE
Kenneth Spillias, Member	--	ABSENT
Kenneth Adams, Member	--	ABSENT

The foregoing resolution was declared duly passed and adopted this 13th day of May, 1986 confirming action of the 27th February 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**

County Attorney