

RESOLUTION NO. R- 87-109

RESOLUTION APPROVING ZONING PETITION 86-59, Special Exception

WHEREFIS, 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

WHEREFIS, 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

WHEREFIS, Petition No. 06-59 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on July 24, 1986 and

WHEREFIS, 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

WHEREFIS, the Board of County Commissioners made the following findings of fact:

1. With required 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 27th day of January, 1987, that: Petition No. 86-59, the petition of ISIDOR MOSKOWITZ AND BARBARA E. MOSKOWITZ By Ronald R. Hoggard, Jr. Agent, for the SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT on the East 100 feet of the North 3/4 of Tract 5, Block 4, in Section 12, Township 44 South, Range 42 East, according to the plat of Palm Beach Plantations as recorded

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
Ken Spillias, Member	---	AYE
Dorothy Wilken, Member	---	AYE
Kenneth M. Adams, Member	---	ABSENT

The foregoing resolution was declared duly passed and adopted this 27th day of January, 1987 confirming action of July 24, 1986.

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BY ITS BOFIRD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Barbara D. Kelly*
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]

County Attorney

in Plat Book 10, page 20, together with: Parcel B: The East 100 feet of the North 1/2 of the South 1/2 of the North 1/2 of the Southwest 1/4 of the Southeast 1/4 of Section 12, Township 44 South, Range 42 East, also described as the East 100 feet of the North 1/2 of the South 1/2 of Tract 5, Block 4, Palm Beach Plantations Subdivision of Section 12, Township 44 South, Range 42 East, according to the Plat thereof as recorded in Plat Book 10, at Page 20. Said property located on the south side of Forest Hill Boulevard (S.R. 882), approximately 50 feet west of Forrest Avenue 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. required perimeter landscaping along west and south property lines
 - b. interior landscape calculations
 - c. required number of trees in tabular data
2. Sewer and/or water service has been confirmed by the Utility company responsible for serving the area. Therefore, septic tank and/or well cannot be approved for the subject property.
3. 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. The drainage system shall be maintained in an acceptable condition with the County Engineer's approval.
4. The property owner shall construct a right turn lane, west approach on Forest Hill Boulevard at the project's entrance. This construction shall include curb and gutter on Forest Hill Boulevard concurrent with onsite paving and drainage improvements.
5. This project shall exclude "convenience type" stores from the Shopping Center.
6. A Unity of Title Agreement shall be provided for the entire site prior to site plan approval.