

RESOLUTION NO. R- 87-121

RESOLUTION APPROVING ZONING PETITION 86-82, 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. 86-82 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 *site* plan modifications, 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. 86-82, the petition of FEDERAL PROPERTY MANAGEMENT CORPORATION by F. Martin Perry, Esquire, for a SPECIAL EXCEPTION TO ALLOW A NURSING HOME CONVERSION FACILITY on the Southwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 10, Township 44

Commissioner Owens, 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:

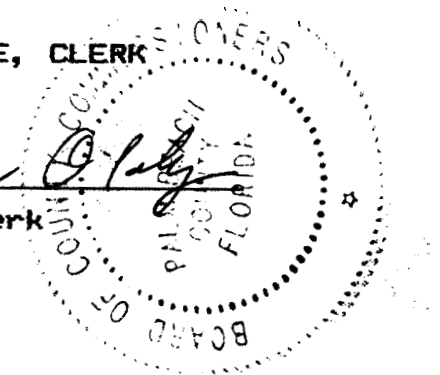
Karen T. Marcus, Chairman	--	AYE
Jerry L. Owens, Vice Chairman	--	AYE
Ken Spillias, Member	--	AYE
Dorothy Wilken, Member	--	AYE
Kenneth M. Adams, Member	--	AYE

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

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara G. Kelly  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

[Signature]  
County Attorney

right-of-way from centerline) within 90 days of the approval of the Resolution approving this project.

5. The property owner shall construct:
- a) 13th Road South from Jog Road east to the project's east property line, (local road standards minimum 2-10 foot travel lanes)
  - b) left turn lane, north approach and a right turn lane, south approach on Jog Road at the project's entrance road.

All concurrent with onsite paving and drainage improvements.

6. The property owner shall provide Palm Beach County a road drainage easement within the project's internal lake system to accommodate the runoff of Jog Road along the property frontage and for a maximum 400 ft. distance each side of the property boundary lines along Jog Road. The drainage system within the project shall have sufficient retention/detention capacity to meet the storm water discharge requirements of the applicable County Control District and South Florida Water Management District and accommodate the ultimate Thoroughfare Plan Section road drainage runoff.
7. 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 \$14,467.00 (549 trips X \$26.79 per trip).
8. Based on the Traffic Performance Standards (Category "B"), the Developer shall contribute an additional \$3,617.00 toward Palm Beach County's existing Roadway Improvement Program, these total funds of \$18,084.00 to be paid prior to the issuance of a Building Permit or prior to January 1, 1989 whichever shall first occur.

If the "Fair Share Contribution for Road Improvements Ordinance" is amended to increase the Fair Share Fee, this additional amount of \$3,617.00 shall be credited toward the increased Fair Share Fee.

9. The petitioner shall convey to the Lake Worth Drainage District the south 35 feet of the southwest 1/4 of the northeast 1/4 of Section 10, Township 44 South, Range 42 East for the required right-of-way for Lateral Canal No. 7 by Quit Claim Deed or an Easement Deed in the form provided by said District within ninety (90) days of adoption of the Resolution by the Board of County Commissioners.

South, Range 42 East., reserving the North 20 feet thereof for road and utility service; .Less the Westerly 40 feet for right-of-way for Jog Road. Said property located on the southeast corner of the intersection of 13th Road South and Jog Road was approved subject to the following conditions:

1. Prior to site plan certification, the site plan shall be revised to reflect the following:
  - a. compliance with the minimum leisure floor area requirement
  - b. compliance with the minimum tree planting requirement for residentially zoned lots. The use of existing vegetation to meet this requirement will require the submittal of a tree survey.
  - c. one of the three alternative landscape strips between the vehicular use area and the southern property line, including the minimum planting requirements for each of these strips
  - d. dimensions of the access points.
  
2. The developer shall preserve existing vegetation and shall incorporate said vegetation into the project design. Areas of existing vegetation to be preserved shall be shown upon the approved development plan prior to master plan and/or site plan certification. These preservation areas shall receive appropriate protection from damage and disturbance during the site development and construction phase, The minimum protection shall include highlighting of preservation areas through the installation of stakes installed a maximum of fifty (50) feet apart. Ropes, plastic, tape or ribbons shall be attached to the stakes around the perimeter of the protected area. Marking materials shall not be attached to a protected tree.  
  
In addition, individual trees not within a preserved area shall be protected by a barrier, constructed of metal or wood, placed a distance of six feet apart, or at the radius of the dripline, whichever is greater.
  
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. The drainage system shall be maintained in an acceptable condition per the County Engineers approval.
  
4. The property owner shall convey for the ultimate right-of-way of:
  - a) Jog Road, 80 feet from centerline (an additional 40 feet),
  - b) 13th Road South an additional 30 feet (60 feet total