

RESOLUTION NO. R-87-905

RESOLUTION APPROVING ZONING PETITION 86-140: 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. 86-140 was presented to the Board of County Commissioners of Palm beach County, sitting as the Zoning Authority, at its public hearing conducted on January 5, 1987; 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. With required site plan modifications, this proposal will be consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY CUMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 86-140, the petition of THE FRATERNAL ORDER OF POLICE, 31M FOGLEMAN LODGE #50 By John Sanford, Agent, for a SPECIAL EXCEPTION TO ALLOW A PRIVRTE RECREATION FACILITY FIND CLUE on a parcel of land in Tract 3, Block 5, Palm Beach Farms Company, Plat No. 3, in Section 34, Township 43 South, Range 42 East, as recorded in Plat Book 2, page 46; said parcel more particularly described as follows: From the Southwest corner of said Tract 3, thence East along the South line of said Tract a distance of 262.00 feet, more or less, to a point on the East line of the West 5 acres of said

Tract 3, said point being the Point of Beginning of the parcel herein described; thence North parallel to the West line of said Tract 3, along the East line of the West 5 acres of Tract 3, a distance of 484.68 feet; thence East parallel to the South line of said Tract 3, a distance of 262.33 feet to a point 135.2 feet West of the East line of Tract 3; thence North parallel to the West line of said Tract, a distance of 326.45 feet to the North line of said Tract 3; thence East along the North line of said Tract 3, a distance of 135.34 feet, to the Northeast corner of said Tract; thence South along the East line of said Tract 3, a distance of 805.00 feet, to the Southeast corner of said Tract 3; thence West along the South line of said Tract, a distance of 597.53 feet, to the Point of Beginning. Said property located on the southwest corner of the intersection of Belvedere Road and 62nd Drive North (First Street) 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) paved parking or obtain variance relief for grass parking from the Board of Adjustment.
  - b) wheel stops or curbs where parking stalls face a property line.
  - c) correct the minimum tree planting requirement in the tabular data.
  - d) either one of Alternative Perimeter Landscape Strips No. 2 as defined in the Palm Beach County Landscape Code adjacent to the existing residential lot. Petitioner may install a fence rather than a wall as part of its five (5) foot perimeter buffer.
  - e) Required landscape strip width between off-street parking areas and right-of-way.
2. Prior to site plan certification, the developer shall either abandon 62nd Avenue or shall convey an additional fifteen (15) feet (north 15 feet of the subject property) for the ultimate right-of-way for 62nd Avenue.
3. The developer shall retain the stormwater runoff in accordance in all applicable agency requirements in effect at the time of the permit application. However, at a minimum, this 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 as approved by the County Engineer. In the event that the drainage system is not adequately maintained as determined by the County Engineer this matter will be reviewed by the Code Enforcement Board for enforcement.

4. 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 \$2,384.00 (89 trips X \$26.79 per trip).
5. The petitioner shall convey to the Lake Worth Drainage District the north 55 feet of the east 135.20 feet of Tract 3 Block 5 according to the plat of the Palm Beach Farms Plat No. 3 for the required right-of-way for Lateral Canal No. 3 by Quit Claim Deed or an Easement Deed in the form provided by said District within ninety (90) days of the approval of the Resolution approving this project.
6. Security lighting shall be low intensity in nature and be directed away from adjacent residential development.
7. The property owner shall provide paved access to the site from Eelvedere Road.
8. All outdoor activities conducted on site shall cease no later than 10:00 PM. Indoor activities shall cease no later than 1:00 A.M.

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

Carol A. Roberts	--	Absent
Jerry L. Owens	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Aye
Kenneth M. Adams	--	Aye

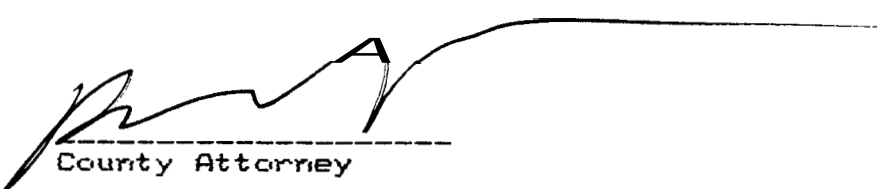
The foregoing resolution was declared duly passed and adopted this 23rd day of June, 1987 confirming action of January 5, 1987.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Jana M. Eddings  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
County Attorney