

RESOLUTION NO. R- 87- 1197

RESOLUTION APPROVING ZONING PETITION 87-55, 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. 87-55 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on May 28, 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, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner; and

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

1. With required master 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 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session that Petition No. 87-55, the petition of the Board of County Commissioners, by Carol Roberts, Chairman, for a SPECIAL EXCEPTION FOR A PLANNED UNIT DEVELOPMENT AND CHILD DRY CREEK CENTER on a parcel of land in Section 6, Township 44 South, Range 37 East, being more particularly described as follows: Commencing at the

Southwest corner of said Section 6; thence run North 89 degrees 42' 59" East along the South line of said Section 6, a distance of 2636.96 feet to the Southeast corner of the Southwest 1/4 of said Section 6; thence North 1 degree 24' 30" East along the North-South 1/4 line of said Section 6, a distance of 27.01 feet to the Point of Beginning. Said point also being on a line 27.00 feet North of as measured at right angles to the South line of said Section 6. From the Point of Beginning run thence along the following numbered courses: South 89 degrees 42' 59" West along a line 27.00 feet North of and parallel with the South line of said Section 6, a distance of 852.76 feet; thence North 1 degree 56' 14" East 600.00 feet; thence North 89 degrees 42' 59" East 1068.21 feet; thence North 1 degree 24' 2" East 1097.67 feet; thence North 89 degrees 42' 59" East 1097.67 feet; thence South 1 degree 24' 2" West 1633.36 feet to a point on a curve concave Northerly having a radius of 1332.69 feet, a central angle of 4 degrees 33' 17" and a chord bearing of South 87 degrees 37' 10" West; thence Westerly along the arc of said curve 105.94 feet; thence on a line radial to said curve South 0 degrees 6' 12" East 51.06 feet to a point on a curve concave Northerly, having a radius of 1829.86 feet, a Central angle of 5 degrees 57' 12" and a chord bearing of South 86 degrees 46' 18" West; thence Westerly along the arc of said curve 190.13 feet to a point on a line parallel with and 27.00 feet North of as measured at right angles to the South line of said Section 6; thence along said parallel line South 89 degrees 45' 0" West 1024.81 feet to the Point of Beginning. The property is located on the north side of SR 80, approximately .3 miles east of SR 715 and was approved as advertised subject to the following conditions:

1. Prior to Site Plan Review Committee certification, the master plan shall be revised to reflect the following:
 - a) Unit type designation as provided in (Section 402.7 E 2. c. 4. b 1) of the Zoning Code.
 - b) Minimum tree planting requirement of 1,665 trees.
 - c) A complete breakdown of open space as provided in Section 500.21 (Planned Unit Development).
 - d) Inclusion in the tabular data of the use of 98 transferred development rights.

- e) Pedestrian and vehicular linkage with the western open space parcel.
2. Since water and sewer service is available to the property, neither septic tank nor well be approved for use on the property.
 3. No building permit shall be issued for the subject property until such a time that the site is connected to a public sewer system.
 4. The developer shall retain the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application. However at a minimum, 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. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer.
 5. The property owner shall construct a left turn lane, west approach and a right turn lane, east approach on S.R. 80 at the project's entrance road concurrent with onsite paving and drainage improvements.
 6. The developer 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 6562.00 per approved multi-family dwelling unit.

Commissioner Marcus, moved for approval of the petition.

The motion was seconded by Commissioner Rdams, and upon being put to a vote, the vote was as follows:

Carol R. Roberts	--	Rye
Kenneth M. Rdams	--	Rye
Karen T. Marcus	--	Rye
Carol J. Elmquist	--	RYE
Dorothy Wilken	--	Rbsent

The foregoing resolution was declared duly passed and adopted this 11th day of August, 1987 confirming action of May 28, 1987.

PRLM BERCH COUNTY, FLORIDR
BY ITS BORRD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE,, CLERK.....

BY: Lisa E. Dancy
Deputy Clerk

APPROVED RS TO FORM
AND LEGRL SUFFICIENCY

[Signature]
County Attorney