

RESOLUTION NO. R-89-436

RESOLUTION APPROVING ZONING PETITION NO. 88-37  
SPECIAL EXCEPTION PETITION OF JUPITER SHRINE HOLDING CORPORATION

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. 88-37, was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on April 29, 1988; 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. This proposal is 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, that Petition No. 88-37, the petition of JUPITER SHRINE HOLDING CORPORATION, by Frank E. Hollis, Agent, for a SPECIAL EXCEPTION TO PERMIT RECREATION FACILITIES AND CLUBS (JUPITER SHRINE CLUB) on a parcel of land lying in Section 18, Township 41 South, Range 42 East, being the West 1/2 of the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of said Section 18, less that part thereof lying West of the East line of a 200 foot Right-of-Way for State Road 7, and less that part thereof lying North of the South line of a 50 foot canal Right-of-way as recorded in Plat Book 24, Page 7, located on the northeast corner of the intersection of 159th Court North and Jupiter Farms Road (S.R. 7) in an AR-Agricultural Residential Zoning District, was approved as advertised, subject to the following conditions:

1. Prior to certification, the site plan shall be amended to indicate:
  - a. Required front setback.

- b. The perimeter landscape strip alternative 1, 2 or 3 along the eastern and northern property lines.
  - c. Proper dimensions for all parking stalls.
  - d. Required terminal islands.
  - e. Required trees in terminal islands
  - f. Required minimum tree planting requirement.
  - g. The correct zoning **of** the adjoining property to the west.
  - h. Relocation of vegetation twenty (20) feet south of the 50 foot canal right-of-way.
  - i. Location **of** the required handicap stalls to provide convenient access to the building entrance.
  - j. The maximum seating capacity **of** the facility.
  - k. Removal **of** the parking stall located in the northeasternmost portion **of** the site.
  - l. Relocation of the parking stall which is located over the proposed well.
2. Vehicle parking shall be limited to the parking spaces designated on the approved site plan. **No** parking of vehicles shall be allowed in landscape areas, right-of-way, or interior driveways.
  3. **No** off-premises signs shall be permitted on site.
  4. **No** stock loading or dumpster pick-up will be permitted between the hours **of** 9:00 p.m. and 7:00 a.m.
  5. The developer shall preserve and/or relocate the slash pine seedlings where-ever possible incorporating existing vegetation into the project design.
  6. 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 three (3) inches **of** the stormwater runoff generated by a three (3) year-one (1) hour storm as required by 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 referred to the Code Enforcement Board for enforcement.

7. The property owner shall construct 159th Court from Jupiter Farms Road east to the project's entrance road to local street standards two (2) ten (10) foot turnout lanes subject to approval by the Drainage District and the Office of the County Engineer concurrent with onsite paving and drainage improvements.
8. 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 \$1,871.00 (40 trips X \$26.79 per trip).
9. The application and engineering plans, calculations, etc. to construct well and/or septic tank must be submitted to the Health Department prior to site plan approval (or prior to issuance of Building Permit for straight rezoning).
10. Failure to comply with the conditions herein may result in the denial or revocation of a building permit; the issuance of a stop work order; the denial of a Certificate of Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer-owner, commercial-owner, lessee, or user of the subject property. Appeals from such action may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Palm Beach County Zoning Code. Violations of the conditions herein shall constitute violations of the Palm Beach County Zoning Code.

Commissioner Wilken 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
Carol J. Elmquist	--	Absent
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Aye
Kenneth M. Adams	--	Aye

The foregoing resolution was declared duly passed and adopted this 14th day of March, 1989 confirming action of April 29, 1988.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY :

*Susan Pulit*  
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Lina M. Blair*  
DEPUTY CLERK