

RESOLUTION NO. R-89- 761

RESOLUTION APPROVING ZONING PETITION NO. 87-125
SPECIAL EXCEPTION PETITION OF THE SCHOOL BOARD
OF PALM BEACH COUNTY

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. 87-125 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on October 30, 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. 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. 87-125, the petition of THE SCHOOL BOARD OF PALM BEACH COUNTY, by Agustin Hernandez, Agent, for a SPECIAL EXCEPTION TO PERMIT AN EDUCATIONAL INSTITUTION (ELEMENTARY SCHOOL) on a parcel of land lying in Section 13, Township 41 South, Range 42 East, more particularly described as follows:

Commencing at the South 1/4 corner of said Section 13, thence North 01 degrees 33' 18" East along the North-South 1/4 section line of said Section 13 a distance of 2814.12 feet, thence South 89 degrees 05' 29" West parallel to the North line of the Jupiter Middle School as described in Official Record Book 3609, Page 353, a distance of 960.06 feet to the Northwest corner of said Jupiter Middle School property, said Northwest corner being the

Point of Beginning, thence continue South 89 degrees 05' 29" West along the prolongation of the preceding described course a distance of 820.00 feet, thence South 01 degrees 33' 18" West parallel to said 1/4 section line, a distance of 1063.39 feet, thence North 89 degrees 05' 29" East, parallel to the South line of said Jupiter Middle School property a distance of 820.00 feet to the West line of said Jupiter Middle School property, thence North 01 degrees 33' 18" East along the West line of said Jupiter Middle School property a distance of 1063.39 feet to the Point of Beginning, located on the west side of Military Trail (S.R. 809), approximately .5 mile north of Fredrick Small Road, in a RS-Single Family Residential Zoning District, was approved as advertised, subject to the following conditions:

1. Prior to site plan approval, the site plan shall be amended to reflect the following:
 - a. Required amount of handicap stalls. The stalls shall be distributed throughout the site and be located in parking stalls which are located in closest proximity to the building.
 - b. Required interior islands.
 - c. Required amount of trees = 349.
 - d. Required trees in terminal and interior landscape islands.
 - e. Required 25 foot buffer area with preservation guidelines for this area.
2. The developer shall preserve existing vegetation, particularly the slash pines, and shall incorporate into the project design and submit a management plan for the natural habitat area. Areas of existing vegetation to be preserved along the northern and western property boundary shall be shown upon the approved site plan prior to site plan certification.
3. All lighting shall be directed away from surrounding properties.
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 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.

5. The property owner shall convey for the ultimate right-of-way of the North Access Road, a total of 80 feet within 90 days of the approval of the Resolution approving this project or prior to issuance of the first Building Permit, whichever shall first occur.
6. Since sewer service is available to the property, septic tank shall not be approved for use on the property.
7. Since water service will be available to the property, a water well shall not be approved for potable water use on the property.
8. Developer shall construct pedestrian paths, as required by the County Engineer, to the site to accommodate persons walking to the school.

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

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

The foregoing resolution was declared duly passed and adopted this 25th day of April, 1989 confirming action of October 30, 1987.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: 
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: 
DEPUTY CLERK