

RESOLUTION NO. R-89-1037

RESOLUTION APPROVING ZONING PETITION NO. 88-105
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. 88-105 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on September 23, 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. 88-105 the petition of THE SCHOOL BOARD OF PALM BEACH COUNTY, by Linda S. Howell, Agent, for a SPECIAL EXCEPTION TO PERMIT AN EDUCATIONAL INSTITUTION (ELEMENTARY SCHOOL) on a parcel of land lying on the North 3/4 of the East 1/2 of the Southwest 1/4 less the North 50 feet Canal Right-of-way in Section 2, Township 41 South, Range 41 East, being located on the east side of Haynie Lane, approximately .1 mile north of Randolph Siding Road, in a RE-Residential Estate Zoning District, was approved as advertised, subject to the following conditions:

1. Prior to certification, the site plan shall be amended to indicate the following:
 - a. Revise the tabular to show square footage breakdown for each proposed structure.
 - b. Indicate the required handicapped spaces.

2. Prior to issuance of a Building Permit, the petitioner shall submit a detailed vegetation analysis to the Zoning Division. The vegetation analysis shall clearly indicate those trees to be preserved and to be relocated on-site.
3. Prior to site plan certification, the petitioner shall schedule a preclearing inspection which shall include representatives from the Zoning Division, the Department of Environmental Resource Management and the School Board to finalize the preservation plan.
4. Prior to issuance of a Vegetation Removal Permit, the petition shall submit an aerial and site plan at the same scale. The aerial shall be marked to indicate the existing native canopy and understory vegetation. The parking lots shall be so designed so that areas of vegetation will be preserved to the greatest extent possible. At a minimum, the vegetation shown on Exhibit Number 3 shall be preserved and incorporated into the overall project design.
5. The wetland area, located on the southern acreage shall remain undisturbed. Future development of the southern 35 acres shall be subject to future Board of County Commissioners' approval.
6. Complete applications for a domestic wastewater treatment plant and disposal system must be submitted to the Health Department prior to site plan approval.
7. Complete applications for a public water supply treatment plant must be submitted to the Health Department prior to site plan approval.
8. The developer shall provide discharge control and treatment for 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 stormwater runoff generated by a three (3) year-one (1) hour storm with a total rainfall of 3 inches as required by the Permit Section, Land Development Division. In the event that the subject site abuts a Department of Transportation maintained roadway, concurrent approval from the Florida Department of Transportation will also be required. 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.
9. The property owner shall construct Haynie Lane from 174th Court to the south property line, a 3 lane section collector street standards plus appropriate paved tapers concurrent with onsite paving and drainage

improvements. Construction shall be completed prior to the issuance of a Certificate of Occupancy.

10. The petitioner shall construct a left turn lane on Alexander Run, north approach, at 174th Court, within 120 days of the adoption of the resolution approving this project.
11. The School Board shall enter into an agreement with Palm Beach County and/or South Indian River Water Control District for the paving and improvement of Haynie Lane (117 Drive North) from the southern boundary of the developed 24 plus acres to Indiantown Road in accordance with County Standards. This condition shall be of no force and effort if no satisfactory resolution for the paving and improvement of Haynie Lane (117 Drive North) as set forth above is made within six (6) months of the date of the resolution approving this petition. This condition shall not result in the delay of the development or construction of the school.
12. 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.
13. Prior to certification, the petitioner shall amend the site plan to indicate the relocation of the waste-water plant to the southwestern portion of the northern 22.5 acre section of the site
14. The petitioner shall submit to the Zoning Division all graphics presented at the Board of County Commissioners hearing on September 23, 1988.

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

Carol A. Roberts	--	Aye
Carol J. Elmquist	--	Absent
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Absent
James Watt	--	Aye

The foregoing resolution was declared duly passed and adopted this 6th day of June, 1989 confirming action of September 23, 1988.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY :

Richard Altman
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

June J. Hardy
DEPUTY CLERK

