

RESOLUTION NO. R-89- 1623

RESOLUTION APPROVING ZONING PETITION NO. 89-44
SPECIAL EXCEPTION PETITION OF RICHARD E. BONVIE, TRUSTEE

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 have been satisfied; and

WHEREAS, Petition No. 89-44 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on May 26, 1989; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, 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, sitting as the Zoning Authority, made the following findings of fact:

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations.

WHEREAS, 402.5 of the Zoning Code requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 89-44 the petition of RICHARD E. BONVIE, TRUSTEE, by Robert E. Basehart, Agent, for a SPECIAL EXCEPTION TO PERMIT A PLANNED OFFICE BUSINESS PARK on a parcel of land lying on the East 130.00 feet of Tract 92, Block 77, Palm Beach Farms Company Plat No. 3, in Section 18, Township 47 South, Range 42 East, Plat Book 2, page 45, less the South 65.00 feet thereof, being located on the north side of Glades Road (SR 808), approximately .1 mile west of Lyons Road in a CS-Specialized Commercial Zoning District, was approved on May 26, 1989, as advertised, subject to the following conditions:

1. prior to Site Plan Review Submittal, a cross-access agreement shall be recorded between the petitioner and the land owner to the west to permit cross-access between the parcels.
2. Prior to Site Plan Review Submittal, the site plan shall be amended to indicate along the North property line, trees a minimum ten (10) feet in height, with a minimum six (6) foot spread, spaced twenty (20) feet on center.

3. Lighting shall be of low intensity and directed away from residential properties through the use of house side shields.
4. Sewer service is available to the property. Therefore, no septic tank shall be permitted to the site.
5. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water.
6. 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.

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 \$22,530.00 (841 trips X \$26.79 per trip).

7. The property shall be limited to a three (3) story 24,600 square foot medical office facility.
8. Failure to comply with any conditions of approval 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.

Commissioner Marcus moved for approval of the Resolution.

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

Carol J. Elmquist, Chair	==	AYE
Ron Howard	--	AYE
Karen T. Marcus	--	AYE
Carole Phillips	--	AYE
Carol Roberts	--	AYE

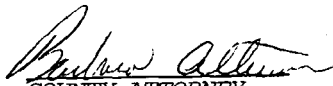
The Chair thereupon declared the resolution was duly passed and adopted this 12th day of September, '989.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK

