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RESOLUTION NO. R-89- 2214

RESOLUTION APPROVING ZONING PETITION NO. 89-45  
SPECIAL EXCEPTION PETITION OF BERNICE FORD

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. 89-45 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on June 29, 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. 89-45 the petition of BERNICE FORD, by Robert E. Basehart, Agent, for a SPECIAL EXCEPTION TO PERMIT A PLANNED OFFICE BUSINESS PARK on a parcel of land lying on Tract 92, Block 77, The Palm Beach Farms Company Plat No. 3, Plat Book 2, Page 53, in Section 18, Township 47, South, Range 42, East less the East 130.00 feet thereof and Less the South 65.00 feet thereof, being located on the north side of Glades Road (SR 808), approximately .2 mile west of Lyons Road, in a CS-Specialized Commercial Zoning District, was approved on June 29, 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 east to permit cross-access between the parcels.
2. Prior to Site Plan Review submittal, the site plan shall be amended to indicate a six (6) foot masonry wall with native canopy trees a minimum of twelve (12) feet in height and six (6) foot canopy, spaced twenty (20) feet on center, along the north and west property lines.

3. **Lighting shall be 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.
7. The petitioner 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 \$27,138.00 (1,013 trips X \$26.79 per trip).
8. **No off premise signs shall be permitted on site.**
9. Use of the property shall be limited to a three (3) story professional office building with the CS Zoning District.
10. **No retail use shall be permitted on site.**
11. Cross access agreements shall be executed with Petition No. 89-44 to the east, in accordance with Condition No. 1 above.
12. 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.