

ORIGINAL

RESOLUTION NO. R-91- 1713

RESOLUTION APPROVING ZONING PETITION NO. 91-14
REZONING PETITION OF
NORTHERN PALM BEACH COUNTY ASSOCIATION OF REALTORS, INC.

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. 91-14 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its Public Hearing conducted on August 29, 1991; 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 the 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, Chapter 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. 91-14, the petition of NORTHERN PALM BEACH COUNTY ASSOCIATION OF REALTORS, INC., BY ANTONIA L. HULME, AGENT, for a REZONING FROM RM TO CG on a parcel lying in the Southeast 1/4 of the Southwest 1/4 of Section 18, Township 42 South, Range 43 East, being the West 146.00 feet of the East 476.00 feet of the North 307.47 feet of the South 382.47 feet of the Southeast 1/4 of the Southwest 1/4 of said Section 18; TOGETHER with the South 307.47 feet of a parcel COMMENCING at the South 1/4 corner of said Section 18, thence North 88°27'22" West along the South line of said Section 18, a distance of 330.00 feet; thence North 01°38'51" East a distance of 75.00 feet to a point on the Northerly right of way line of Northlake Boulevard; said Point being the POINT OF BEGINNING, thence North 01°38'51" East, a distance of 446.05 feet, thence North 88°27'22" West a distance of 6.51 feet; thence South 01°40'54" West, a distance of 446.05 feet; thence South 88°27'22" East, a distance of 6.77 feet to the POINT OF BEGINNING; TOGETHER WITH, a parcel in said Section 18, COMMENCING at the South 1/4 corner of said Section 18; thence North 88°27'22" West along the south line of said Section 18, a distance of 270.00 feet; thence North 01°38'51" East,

a distance of 75.00 feet to a point on the northerly right of way line of Northlake Boulevard; said point being the POINT OF BEGINNING, thence North 01°38'51 East, a distance of 446.05 feet; thence North 88°27'22" West, a distance of 60.00 feet; thence South 01°38'51" West, a distance of 446.05 feet; thence South 88°27'22" East, a distance of 60.00 feet to the POINT OF BEGINNING, and being located ON THE N SIDE OF NORTHLAKE BLVD., APPROX. .05 MILE E OF SILVERTHORNE DR., was approved on August 29, 1991, as advertised, subject to the following voluntary commitments:

A. STANDARD CONDITIONS

1. Development of the site is limited to the uses and site design shown on the site plan approved by the Board of County Commissioners (Exhibit No. 21). All commitments shall apply to the entire subject property, except where noted.

B. DUMPSTER

1. All areas or receptacles for the storage and disposal of trash, garbage or vegetation, such as dumpsters and trash compactors, shall be confined to areas designated on the site plan and screened by a solid opaque enclosure constructed of material consistent with the architectural character of the principal building. The open end of the enclosure shall have an obscure, opaque gate.

C. ENVIRONMENTAL RESOURCES MANAGEMENT

1. The Petitioner shall submit an Affidavit of Notification to the Department of Environmental Resources Management prior to issuance of Paving and Drainage Permit,

D. HEALTH

1. Generation and disposal of hazardous effluents into sanitary sewerage system shall be prohibited unless adequate pretreatment facilities approved by the Florida Department of Environmental Regulation (FDER) and Agency responsible for sewage works are constructed and used by project tenants or owners generating such effluents.
2. Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site.
3. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water.

E. ENGINEERING

1. For Parcel No. 2, 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 on site 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, and 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.

F. IRRIGATION QUALITY WATER

1. When irrigation quality water is available within 500 feet of the property, the petitioner shall connect to the system. The cost for connection shall be borne by the property owner.

G. LANDSCAPING - GENERAL

1. The petitioner shall preserve/relocate existing native vegetation on-site and shall incorporate it into the project design.

H. LANDSCAPING - INTERIOR

1. One landscape island shall be provided for every twelve (12) parking spaces provided on Parcel 2. Each landscape island shall be planted with one native canopy tree or native palm tree and appropriate ground cover. The maximum spacing between landscape islands shall not exceed one hundred twenty (120) linear feet.
2. All trees within the interior parking area shall be a minimum of twelve (12) feet in height.

I. LANDSCAPING ALONG NORTHLAKE BOULEVARD

1. Landscaping within the required buffer along Northlake Boulevard shall be upgraded to include:
 - a. One twelve (12) foot tall native tree for every thirty (30) linear feet.
 - b. Thirty-six (36) inch tall hedge or shrub material planted twenty-four (24) inches on center.

J. LANDSCAPING ALONG THE NORTH PROPERTY LINE

1. Landscaping and buffering along the north property line of Parcel 2 shall be upgraded to include:
 - a. One twelve (12) foot tall native tree planted every twenty (20) feet on center.
 - b. Thirty-six (36) inch high shrubs or hedge material spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of forty-eight (48) inches.

K. LANDSCAPING ALONG EAST PROPERTY LINE

1. Landscaping within the required buffers along the east property line of Parcel 2 shall be upgraded to include:
 - a. One twelve (12) foot tall native tree planted every twenty (20) feet on center.
 - b. Thirty-six (36) inch tall hedge or shrub material planted twenty-four (24) inches on center.

L. LIGHTING

1. All outdoor lighting used to illuminate the premises and identification signs shall be of low intensity, shielded and directed away from adjacent properties and streets.
2. Lighting fixtures on Parcel 2 shall not exceed twenty (20) feet in height.
3. All outdoor lighting shall be extinguished no later than 12:00 p.m. Security lighting only is excluded from this requirement.

M. PARKING

1. A maximum of 61 parking spaces shall be permitted on Parcel Two.
2. Vehicle parking shall be limited to the parking areas designated on the approved site plan. No parking of vehicles shall be permitted in landscaped areas, right-of-way or interior drives.

N. RECYCLE SOLID WASTE

1. The property owner shall participate in a recycling program when available in the area. Material to be recycled shall include, but not be limited to, paper, plastic, metal and glass products.

O. SIGNS

1. Any new or replacement signs fronting on Northlake Boulevard shall be limited as follows:
 - a. Maximum sign height = ten (10) feet.
 - b. Maximum total sign face area, per face = 100 square feet.
 - c. Maximum number of signs = one (1).
2. New signs shall not encroach into the minimum required perimeter landscape buffers.
3. All signs on the site shall comply with the Palm Beach County Sign Code and shall indicate principal uses only. No snipe signs, balloons, banners or other prohibited types of advertisement or signs shall be permitted on-site.
4. If, prior to the issuance of a building permit for the project, the Sign Code is amended to be more restrictive than the conditions of approval, the regulations of the amended Sign Code shall supersede all sign-related conditions of approval.

P. USE LIMITATION

1. No storage or placement of any material, refuse, equipment or debris shall be permitted on the site.

Commissioner Elmquist 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:

Karen T. Marcus, Chair	--	AYE
Carole Phillips	--	AYE
Carol A. Roberts	--	AYE
Carol J. Elmquist	--	AYE
Mary McCarty	--	AYE
Ken Foster	--	AYE
Maude Ford Lee	--	AYE

The Chair thereupon declared the resolution was duly passed and adopted this 26th day of November, 1991.

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