

RESOLUTION NO. R-98- 1113

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. SR 91- 14.5  
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-91-1713  
WHICH APPROVED THE SPECIAL EXCEPTION OF  
NORTHERN PALM BEACH COUNTY ASSOCIATION OF REALTORS, INC.  
PETITION NO. 91-14

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, systematic monitoring and review of approved zoning actions help implement the goals and objectives of the Comprehensive Plan.

WHEREAS, the notice and hearing requirements as provided for in Section 5.8 of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, pursuant to Section 5.8, Status Report SR 91-14.5 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on July 23, 1998; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 91-14.5 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

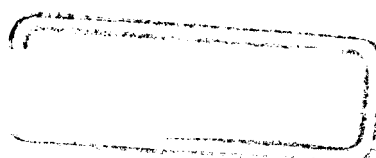
WHEREAS, Section 5.8 of the Palm Beach County Land Development Code authorizes the Board of County Commissioners to add or modify conditions of approval; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This proposal is consistent with the requirements of the Palm Beach County Comprehensive Plan and Unified Land Development Code.
2. The deleted voluntary commitments are now required by the Palm Beach County Unified Land Development Code or are obsolete.
3. The requirement to amend the concurrency reservation is needed to reflect the proposed use of the property.

WHEREAS, Section 5.3 of the Palm Beach County Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that the recommendation of Status Report No. SR 91-14.5, to amend Voluntary Commitments of Resolution No. R-91-1713, the rezoning to the CG-General Commercial Zoning District for the Northern Palm Beach County Association of Realtors, Inc., Petition No. 91-14, on Section 18, Township 42 South, Range 43 East, Palm Beach County, Florida, said parcel being more particularly described as follows: COMMENCING at the South ¼ 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, being located on the north side of Northlake Boulevard, approximately 0.05 of a mile east of Silverthorne Drive, is approved, subject to the following conditions:

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.

Is hereby deleted: [REASON: excess parking approved as part of site plan no longer needed for standard retail/office uses.]

2. All previous conditions of approval applicable to the subject property, as contained in Resolution R-9 1-1713 (Petition 91-14), have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval and deadlines previously established by Section 5.8 of the ULDC and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING-Zoning)

3. Prior to the issuance of a building permit, the concurrency reservation shall be amended to provide for general office use of the property. (BLDG PERMIT: MONITORING - Zoning)

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.

Is hereby deleted: [REASON: Code Requirement]

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.

Is hereby deleted: [REASON: Code Requirement]

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. (ONGOING: HEALTH)
2. Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site. (ONGOING: HEALTH)

3. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water. (ONGOING: HEALTH)

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. (BLDG PERMIT: MONITORING - Eng)

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.

Is hereby deleted: [REASON: obsolete requirement]

G. LANDSCAPING - GENERAL

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

Is hereby deleted: [REASON: alternative landscape betterment plan approved for site]

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. (BLDG PERMIT: BLDG)
2. **All** trees within the interior parking area shall be a minimum of twelve **(12)** feet in height.

Is hereby deleted: [REASON: alternative landscape betterment plan approved for site]

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.

Is hereby deleted: [REASON: alternative landscape betterment plan approved for site]

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.

Is hereby deleted: [REASON: alternative landscape betterment plan approved for site]

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.

Is hereby deleted: [REASON: alternative landscape betterment plan approved for site]

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. (CO: BLDG - Zoning)
- 2. Lighting fixtures on Parcel 2 shall not exceed twenty (20) feet in height. (CO: BLDG - Zoning)
- 3. All outdoor lighting shall be extinguished no later than 12:00 p.m. Security lighting only is excluded from this requirement. (ONGOING - Code Enf)

M. PARKING

- 1. A Maximum of 61 parking spaces shall be permitted on Parcel Two. (BLDG PERMIT: Bldg)
- 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.

Is hereby deleted: [REASON: excess parking approved as part of site plan no longer needed for standard retail/office uses.]

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.

Is hereby deleted: [REASON: recycling programs established through Solid Waste Authority.]

O. SIGNS

1. Any new **or** replacement signs fronting on Northlake Boulevard shall be limited as follows:
  - a. Maximum sign height - ten feet.
  - b. Maximum total sign face areas, per face - **100** square feet.
  - c. Maximum number of signs - one **(1)**. (BLDG PERMIT: BLDG)
2. New signs **shall** not encroach into the minimum required perimeter landscape buffers. (BLDG PERMIT: BLDG)
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. (BLDG PERMIT/ONGOING: BLDG/CODE ENF)
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. (BLDG PERMIT: BLDG)

P. USE LIMITATION

1. **No storage or placement of any material, refuse, equipment or debris shall be permitted on the site.** (ONGOING: Code Enf)

Commissioner Newell moved for approval of the Resolution.

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

BURT AARONSON, CHAIR-MAN	—	Aye
MAUDE FORD LEE, VICE CHAIR	—	Aye
KEN FOSTER	—	Absent
KAREN T. MARCUS	—	Aye
MARY MCCARTY	—	Absent
WARREN H. NEWELL	—	Aye
CAROL ROBERTS	—	Absent

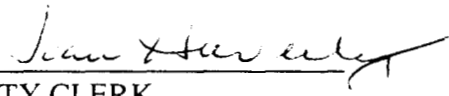
The Chair thereupon declared the resolution was duly passed and adopted this 23 day of July, 1998.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COCNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:   
COUNTY ATTORNEY

BY:   
DEPUTY CLERK

