

RESOLUTION NO. R-85-19

RESOLUTION APPROVING ZONING PETITION 81-219(A), Special Exception

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. 81-219(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 23rd of August 1984; 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, the Board of County Commissioners made the following findings of fact:

1. The proposal is consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 23rd of August 1984, that Petition No. 81-219(A) the petition of NU PLAZA ASSOCIATES By Robert G. Currie, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOH A PLANNED OFFICE BUSINESS PARK PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 81-219 TO INCLUDE A FINANCIAL INSTITUTION on Lot A and the North 72.4 feet of Lot B, Block 15, together with Lot A and the North 72.4 feet of Lot B, Block 16, Palm Beach Farms Company Plat No. 8 of Section 30, Township 45 South, Range 43 East, as recorded in Plat Book 5 at Page 73, less the right-of-way for State Road No. 804 as shown in road Plat Book 2 at Page 218, and less the West 15.0 feet thereof, and less the North 51.0 feet thereof, and less the East 288.85 feet thereof. Said property located on the northeast corner of the

intersection of Lawrence Road and Boynton Beach Boulevard (S.R. 804) in a CS-Specialized Commercial District was approved as advertised subject to the following conditions:

1. Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.
2. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters,
3. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year one hour storm per requirements of the Permit Section, Land Development Division.
4. The property owner shall convey for the ultimate right of way of Boynton Beach Boulevard, 60 feet from centerline within 90 days of adoption of the resolution by the Board of County Commissioners; conveyance must be accepted by Palm Beach County prior to issuance of first building permit.
5. 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. Presently, the Fair Share Fee for this project is \$8,975. If the Fair Share Contribution for Road Improvements Ordinance is amended to increase the Fair Share Fee, this additional amount shall be credited toward the increased Fair Share Fee. In addition, based on the amount of traffic generated by this development, the Developer has agreed to contribute an additional \$4,488 toward Palm Beach County's existing Roadway Improvement Program, this total fee is to be paid within 12 months of the approval date by the Board of County Commissioners.
6. Petitioner shall revise the existing site plan to indicate the adjacent parcel to the east as well as a redesign of the proposed exit onto Lawrence Road,
7. The petitioner shall redesign the exit onto Lawrence Road as per the County Engineer's approval, prior to Site Plan Certification.

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

Ken Spillias, Chairman	--	AYE
Dorothy Wilkens, Vice Chairman	--	AYE
Peggy Evatt, Member	--	AYE
Dennis P. Koehler, Member	--	AYE
Bill Bailey, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this day of January 8, 1984 confirming action of the 23rd of August 1984.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Marlene Harris*
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Sandy Sprague
County Attorney