

RESOLUTION NO. R- 85-288

RESOLUTION APPROVING ZONING PETITION 84-152, 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. 84-152 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 1st of November 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 1st of November 1984, that Petition No. 84-152 the petition of CALIBRE BOCA DEL MAR, LTD. By Kieran Kilday, Agent for a SPECIAL EXCEPTION TO AMEND THE MASTER PLAN FOR BOCA DEL MAR PLANNED UNIT DEVELOPMENT PREVIOUSLY APPROVED ON SEPTEMBER 21, 1971 BY ADDING 5 ADDITIONAL UNITS TO TRACT 81 on Tract 81, Boca Del Mar No. 10, in Section **35**, Township 47 South, Range 42 East **as** recorded in Plat Book **31**, Pages **163-165**. Said property located on the east side **of** Marina Del Mar, approximately .1 mile south **of** **S.W.** 18th Street in an **AR-Agricultural Residential 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. This development shall retain onsite the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 73-4, as amended.

4. The developer shall construct concurrent with the issuance of the first building permit, a Left Turn Lane, East approach, on SW 18th Street at Marina Del Mar.

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 \$200.00 per approved multi-family dwelling unit and \$300.00 per approved single-family dwelling unit.

6. There will be no more than 80 units in Tract 81. No further units may be added by Site Plan Review Committee approval.

7. The overall master plan for Boca Del Mar PUD shall be reduced by 28 units, This new master plan shall be certified by Site Plan Review Committee prior to certification of the site plan for this tract.

Commissioner Bailey, 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	--	NAY
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 , FEB 19, 1985 confirming action of the 1st of November 1984.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Patricia A. Weaver
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Janet Sprague
County Attorney