

RESOLUTION NO. R- 85-660

RESOLUTION APPROVING ZONING PETITION 85-5, 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. 85-5 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 24th January 1985; 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. This proposal is consistent with the requirements of the Comprehensive Plan and Zoning Code.
2. Additional buffering requirements must be imposed to mitigate the impact of this use on surrounding residential uses.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 24th of January 1985, that Petition No. 85-5 the petition of ROBERT AND LESLIE HERRICK for a SPECIAL EXCEPTION TO ALLOW A CHILD DAY CARE CENTER on Lot 8, Block 3, Less the East 10 feet and Less the North 8 feet for Road Right-of-way purposes, Bermuda Park Addition No. 1, in Section 17, Township 44 South, Range 43 East, as recorded in Plat **Book 21**, Page 50. Said property located on the south side of Meadow Road, approximately .1 mile east of Congress Avenue (S.R. 807) in an RS-Residential Single Family District was approved as advertised subject to the following conditions:

1. 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.

2. 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 \$4,125.00.

3. 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.

4. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.

5. **Landscaping** and the six-foot high wooden fence shall **be** installed as shown on the submitted site plan. (Exhibit No.3) Trees shown along the property lines shall be 10' to 12' in overall height at the time of planting, and shall be properly maintained, or replaced as necessary.

6. The developer shall fund a pro-rata share of the cost of signalization at the intersection of Meadow Road and Congress Avenue when signalization is warranted by the County Engineer.

7. The Developer shall construct a left turn lane, east approach, on Meadow Road at Congress Avenue, concurrent with a Paving and Drainage Permit issued from the Office of the County Engineer, per the County Engineer's approval.

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

Ken Spillias, Chairman	--	AYE
Dorothy Wilken , Vice Chairman	--	ABSENT
Kenneth M. Adams, Member	--	AYE
Karen T. Marcus, Member	--	AYE
Jerry L. Owens, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 23rd day of April, 1985, confirming action of the 24th January 1985.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Donna McWilliams  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

Andy Sprague  
County Attorney