

RESOLUTION NO. R-87-876

RESOLUTION FIRPROVING ZONING PETITION 82-52(A): Special Exception

WHEREFIS, 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

WHEREFIS, 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

WHEREFIS, Petition No. 82-52(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on January 29, 1987; and

WHEREFIS, 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

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

1. With required site plan modifications, this proposal will be consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 82-52(A), the petition of JFICK WILLIN By Beril Kruger, Agent, for a SPECIFIL EXCEPTION TO FIMEND THE SITE PLFIN FOR A CHURCH, PREVIOUSLY FIPPROVED UNDER ZONING PETITION NO. 82-52, TO INCLUDE COMMERCIAL SFILES FND SERVICE ENTERPRISES on the South 1/2 of Tract 72 and the North 1/2 of Tract 89, Block 55, Palm Beach Farms Company Plat No. 3, in Section 28, Township 43 South, Range 42 East, as recorded in Plat Book 2, Page 45. Less the West 25.0 feet thereof for road Right-of-way per Deed Book 1135, Page 92. Said property located on the east side of Hagen Ranch Road, approximately .6 mile South of

Boynton Beach Road in an AR-Agricultural Residential Zoning District was approved as advertised subject to the following conditions:

1. The developer shall comply with all previous conditions of approval unless expressly modified herein.
- E. Prior to site plan certification, the site plan shall be amended to reflect the following:
 - a. required number of trees.
 - b. one (1) of three (3) alternative perimeter landscape strips adjacent to existing residential lots.
 - c. clear termination of the parking areas.
 - d. the use of the eastern portion of the site.
3. The application and engineering plans, calculations etc. to construct well and/or septic tank must be submitted to the Health Department prior to site plan approval.
4. The developer shall retain 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 onsite 85% of the stormwater runoff generated by a three (3) year-one hour storm per requirements of the Permit Section, Land Development Division. 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 reviewed by the Code Enforcement Board for enforcement.
5. The property owner shall convey for the ultimate right-of-way of Hagen Ranch Road, forty (40) feet from centerline within 90 days of the adoption of the Resolution approving this project.
6. The property owner 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. The Fair Share Fee for this project presently is \$1,018.00 (38 trips X \$26.79 per trip).
7. Commercial use of the facility shall be limited to the sale and repair of farm implements.

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:

Carol A. Roberts -- Aye
Jerry L. Owens -- Aye
Karen T. Marcus -- Aye
Dorothy Wilken -- Absent
Kenneth M. Adams -- Absent

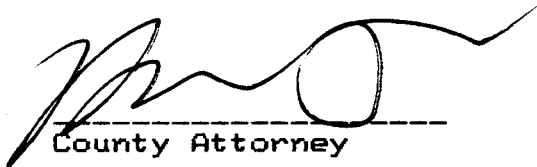
The foregoing resolution was declared duly passed and adopted this 23rd day of June, 1987 confirming action of January 29, 1987.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Jim M. Cudding
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney