

RESOLUTION NO. R- 89-942

RESOLUTION APPROVING ZONING PETITION NO. 88-59  
SPECIAL EXCEPTION PETITION OF  
THE BOARD OF COUNTY COMMISSIONERS

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. 88-59 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on May 27, 1988: 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, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner: 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 local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 88-59 the petition of THE BOARD OF COUNTY COMMISSIONERS, by Carol A. Roberts, Chair, for a SPECIAL EXCEPTION TO PERMIT PUBLIC AND PRIVATE UTILITY SERVICES AND ACCESSORY BUILDINGS AND STRUCTURES (WATER TREATMENT PLANT, PUMP STATION, WATER STORAGE FACILITY) on portions of Lots 38, 39, 46, 47 and 48, Block 81, Palm Beach Farms, Plat No. 3, Section 30, Township 47 South, Range 42 East, according to the Plat thereof, recorded in Plat Book 2, Page 53, together with that certain 30 foot platted road reservation lying South of and adjacent to said **Lots** 46 and 47, and being all more fully described as follows:

Commencing at the intersection of the Southerly extension of the West line of Tract 20 of said Block 81, Palm Beach Farms, Plat No. 3, and the centerline of that certain 30 foot road reservation lying South of and adjacent to said Tract 20; thence South 41 degrees 55' 16" West, a distance of 429.99 feet to the Point of Beginning; thence South 37 degrees 35' 47" East, a distance of 399.73 feet; thence South 42 degrees 06' 31" East, a distance of 350.46 feet; thence South 27 degrees 11' 53" East, a

distance of 188.97 feet to a Point of Curve; thence Southerly through Southwesterly along a Curve to the Right with a radius of 150.00 feet and a central angle of 110 degrees 23' 20" an arc distance of 289.00 feet to a Point of Tangency; thence South 83 degrees 11' 27" West, a distance of 319.56 feet; thence North 6 degrees 33' 33" West, a distance of 109.00 feet; thence South 84 degrees 42' 50" West, a distance of 150.53 feet; thence South 44 degrees 16' 50" West, a distance of 129.15 feet; thence North 48 degrees 58' 22" West, a distance of 45.00; thence South 41 degrees 01' 38" West, a distance of 78.07 feet to a Point on a Curve; thence Westerly through Northerly along a Curve to the Right, whose tangent bears North 72 degrees 85' 59" West, with a radius of 150.00 feet and a central angle of 82 degrees 05' 43", an arc distance of 214.93 feet to a Point of Tangency; thence North 9 degrees 98' 44" East, a distance of 825.76 feet to a Point of Curve; thence Northeasterly along a Curve to the Right, with a radius of 100.00 feet and a central angle of 133 degrees 14' 29", an arc distance of 232.55 feet to a Point of Tangency and a Point of Beginning, less that portion, more fully described as follows:

Commencing at the Northwest corner of Lot 32, Block 14, Sandalfoot Cove, Section Three, as recorded in Plat Book 29, at Pages 140, 141 and 142; thence Northwesterly along the East Right-of-way line of Southwest 65th Avenue, as shown on the said plat of Sandalfoot Cove, Section Three, whose tangent bears North 43 degrees 25' 41" West; with a radius of 1240.00 feet and a central angle of 05 degrees 32' 41", an arc distance of 120.00 feet to a Point of Tangency; thence North 48 degrees 58' 22" West, a distance of 15.00 feet; thence North 41 degrees 01' 38" East, a distance of 196.72 feet to the Point of Beginning; thence continuing North 41 degrees 01' 38" East, a distance of 68.07 feet; thence North 48 degrees 58' 22" West, a distance of 35.51 feet; thence North 07 degrees 07' 13" West, a distance of 40.00 feet; thence South 80 degrees 55' 04" East, a distance of 40.00 feet; thence North 09 degrees 04' 56" East, a distance of 31.40 feet; thence North 80 degrees 55' 04" West, a distance of 16.60 feet; thence North 09 degrees 04' 56" East, a distance of 144.40 feet; thence North 80 degrees 55' 04" West, a distance of 147.08 feet; thence South 09 degrees 98' 44" West, a distance of 142.01 feet to a Point of Curve; thence Southeasterly, along a Curve to the Left, with a radius of 150.00 feet and a central angle of 82 degrees 05' 43", an arc distance of 214.93 feet to the Point of Beginning, and being located approximately 350 feet east of Southwest 65th Avenue, and approximately 150 feet south of Southwest 3rd Street, in a RS-Single Family Residential Zoning District, was approved as advertised, subject to the following conditions:

1. The Australian pine hedge shall be maintained at a maximum height of fifteen (15) feet. This hedge shall be trimmed to this height commencing with the elimination of the waste water treatment plant.
2. Use of the site shall be limited to a water treatment plant, a water storage facility, and a pump station.

3. All brazilian pepper shall be eradicated prior to receiving a certificate of occupancy.
4. 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 onsite 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, 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 referred to the Code Enforcement Board for enforcement.
5. If required by the County Engineer or the South Florida Water Management District, the developer shall design the drainage system such that storm water runoff from the parking areas and paved surfaced area shall be separate from those areas which may contain hazardous or undesirable waste from the proposed site.
6. Failure to comply with the conditions herein may result in the denial or revocation of a building permit; the issuance of a stop work order; the denial of a Certificate of Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer-owner, commercial-owner, lessee, or user of the subject property. Appeals from such action may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Palm Beach County Zoning Code. Violations of the conditions herein shall constitute violations of the Palm Beach County Zoning Code.

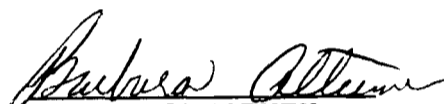
Commissioner Marcus moved for approval of the petition. The motion was seconded by Commissioner Wilken and, upon being put to a vote, the vote was as follows:

Carol A. Roberts	--	Aye
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Aye
James Watt	--	Absent

The foregoing resolution was declared duly passed and adopted this 23rd day of May, 1989 confirming action of May 27, 1988.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

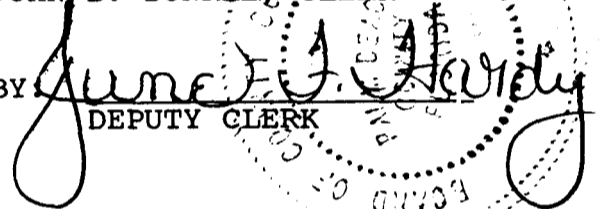
BY :

  
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY :

  
DEPUTY CLERK

