

RESOLUTION NO. R-89-1066

RESOLUTION APPROVING ZONING PETITION NO. 88-123  
SPECIAL EXCEPTION PETITION OF  
LAURI S. AND ANNA-LIISA H. HUHTAMAKI

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. 88-123 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on October 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. 88-123 the petition of LAURI S. AND ANNA-LIISA H. HUHTAMAKI, by Kieran J. Kilday, Agent, for a SPECIAL EXCEPTION TO PERMIT A PLANNED OFFICE BUSINESS PARK (MEDICAL OFFICES) on a parcel of land lying on Lot "A", Block 33, Palm Beach Farms Company, Plat No. 7, in Section 30, Township 44 South, Range 43 East as recorded in Plat Book 5, Page 72, being located on the west side of Congress Avenue (SR 807), approximately .3 mile south of Lake Worth Road (SR 802), in a CS-Specialized Commercial Zoning District, was approved as advertised, subject to the following conditions:

1. Prior to certification, the site plan shall be amended to indicate the following:

- a. All typical layout dimensions shall be shown on the site plan: parking spaces, back-up distances, tree spacing, and landscape strips.
2. The landscaping along Congress Avenue shall be indicated and shall not encroach into the proposed septic tank and drain field.
3. The perimeter landscape along the western portion of the north property line shall be consist of a five (5) foot landscape strip and trees to be planted thirty (30) feet on center.
4. The petitioner shall submit simultaneously with Site Plan Review committee application, two (2) copies of an executed cross access agreement subject to approval by the County Attorney, if the access point between the two sites is to be utilized.
5. The loading space shall be located adjacent to the structure to provide for adequate loading and unloading of supplies. The loading space shall be located so as not to interfere with other vehicular traffic on-site.
6. Outdoor lighting used to illuminate the premises shall be low intensity and directed away from adjacent properties and streets, shining only on the subject site.
7. The site shall be limited to a Business Office Park (including medical offices).
8. The petitioner shall eradicate all prohibited species on-site and preserve existing slash pines and cabbage palms to the greatest extent possible.
9. 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 (or prior to issuance of Building Permit for straight rezoning).
10. 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. In the event that the subject site abuts a Department of Transportation maintained roadway, concurrent approval from the Florida Department of Transportation will also be required. 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.

11. Within **90** days of approval of this project, the property owner shall convey to Palm Beach County by road right-of-way warranty deed for Congress Avenue, **60** feet from centerline free of all encumbrances and encroachments. Petitioner shall provide Palm Beach County with sufficient documentation acceptable **to** the Right **of** Way Acquisition Section to ensure that the property is free **of** all encumbrances and encroachments. Right-of-way conveyances shall also include "**Safe Sight Corners**" where appropriate at intersections as determined by the County Engineer.
12. 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 **\$10,341.00** (386 trips X **\$26.79** per trip).
13. Failure to comply with any conditions **of** approval 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.

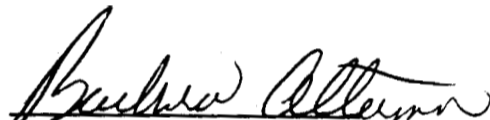
Commissioner Elmquist moved for approval of the petition. The motion was seconded by Commissioner Marcus and, upon being put to a vote, the vote was as follows:

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

The foregoing resolution was declared duly passed and adopted this 6th day of June, 1989 confirming action of October 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

