

RESOLUTION NO. R-92-194

RESOLUTION APPROVING ZONING PETITION NO. 91-48
SPECIAL EXCEPTION PETITION OF GRAND PRIX ASSOCIATES, LTD.

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, have been satisfied; and

WHEREAS, Petition No. 91-48 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its Public Hearing conducted [REDACTED]

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, 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 the 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, sitting as the Zoning Authority, made the following findings of fact:

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations.

WHEREAS, Chapter 402.5 of the Zoning Code, requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 91-48, the petition of GRAND PRIX ASSOCIATES, LTD., BY RUSSELL C. SCOTT, AGENT, for a SPECIAL EXCEPTION TO ALLOW A VETERINARY CLINIC (LIVESTOCK ONLY) on a parcel of land lying in Lots 1 and 2 of the Plat of GRAND PRIX FARMS Plat No. 1, Plat Book 67, Pages 14 through 17, as in Section 20, Township 44 South, Range 41 East; SUBJECT TO easements, restrictions, reservations, and rights-of-way of record, and being located ON THE S SIDE OF PIERSON RD., APPROX. .9 MILE W OF SOUTH SHORE BLVD., was approved on October 24, 1991, as advertised, subject to the following conditions:

A. STANDARD CONDITIONS

1. Prior to site plan certification, the site plan shall be amended to indicate compliance with all minimum property development regulations and land development requirements of Palm Beach County.
2. This Special Exception is granted concurrent with a rezoning. Development of the site is limited to the uses and site design shown on the site plan approved by the Board of County Commissioners (Exhibit No. 3). Any

modifications must be approved by the Board of County Commissioners unless the proposed use or design changes are permitted pursuant to Zoning Code Section **402.7 (E)2(b)** (Site Plan Review Committee Powers and Standards of Review) or required by the conditions of approval contained herein.

3. The petitioner shall submit an application to the Site Plan Review Committee for the certification of the site plan approved by the Board of County Commissioners for this site prior to February 7, 1992.

B. **BUILDING AND SITE DESIGN**

1. Prior to site plan certification, the site plan shall be amended to meet the following Zoning Code requirements:
 - a. Parking based on gross building square footage.
 - b. Landscaped buffers on all property lines; however, the required buffers may be placed at the fence line on the bridle easement.
 - c. Required landscaping in parking areas.
2. Terminal islands for required parking shall each contain one fourteen (14) foot minimum height native canopy tree and three (3) twenty-four (24) inch shrubs.
3. A landscape buffer shall be provided on all property lines meeting the requirements below; however, where the bridle easement runs along the property line, the buffer **may be** placed anywhere within or adjacent to the bridle easement:
 - a. A minimum ten (10) foot width landscape strip.
 - b. One (1) ten (10) foot tall tree planted every thirty (30) feet on center.
 - c. A hedge, wall, fence, berm or combination thereof.
4. A shaded area shall be provided on the south and/or west side(s) of each paddock, including the paddock between the clinic and easternmost stable. Shade may be provided by a fourteen (14) foot minimum height canopy tree or equivalent acceptable to the Zoning Division.
5. All storage bins and any refuse piles shall **be** setback a minimum of 75 feet from the south property line.

C. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Secondary containment for stored Regulated Substances- fuels, oils, solvents, or other hazardous chemicals- is required. Environmental Resources Management Department staff are willing to provide guidance on appropriate protective measures.

D. HEALTH

1. Generation and disposal of hazardous effluents into sanitary sewerage system shall be prohibited unless adequate pretreatment facilities approved by the Florida Department of Environmental Regulation (FDER) and Agency responsible for sewage works are constructed and used by project tenants or owners generating such effluents.
2. Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site.
3. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water.
4. No portion of this project is to be approved on potable well/or septic tank, existing or new. Existing septic tanks are to be abandoned in accordance with Chapter 10-D-6, F.A.C.

E. ENGINEERING

1. 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 on-site 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.
2. 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 at the time of the Building Permit presently is \$4,510.00 (82 trips X \$55.00 per trip).

F. COMPLIANCE

1. As provided in the Palm Beach County Zoning Code, Sections 400.2 and 402.6, failure to comply with any of these conditions of approval at any time may result in:
 - a. 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; and/or

- b. The revocation of the Special Exception and any zoning which was approved concurrently with the Special Exception as well as any previously granted certifications **of** concurrency or exemptions therefrom; and/or
 - c. A requirement **of** the development to conform with updated standards of development, applicable at the time of the finding **of** non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions.
2. Appeals of any departmental-administrative actions hereunder may be taken to the Palm Beach County Board **of** Adjustment or as otherwise provided in the Palm Beach County Zoning Code. Appeals of any revocation of Special Exception, Rezoning, or other actions based on a Board **of** County Commission decision, shall be by petition for writ **of** certiorari to the Fifteenth Judicial Circuit.

Commissioner Roberts moved for approval of the Resolution.

The motion was seconded by Commissioner McCarty and, upon being put to a vote, the vote was as follows:

Karen T. Marcus, Chair	-- Aye
Carole Phillips	-- Aye
Carol A. Roberts	-- Aye
Carol J. Elmquist	-- Aye
Mary McCarty	-- Aye
Ken Foster	-- Aye
Maude Ford Lee	-- Aye

The Chair thereupon declared the resolution was duly passed and adopted this 4th day of February, 1992.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

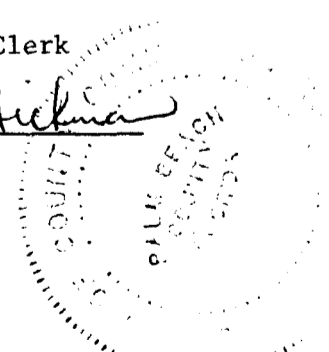
Milton T. Bauer, Clerk

BY:


COUNTY ATTORNEY

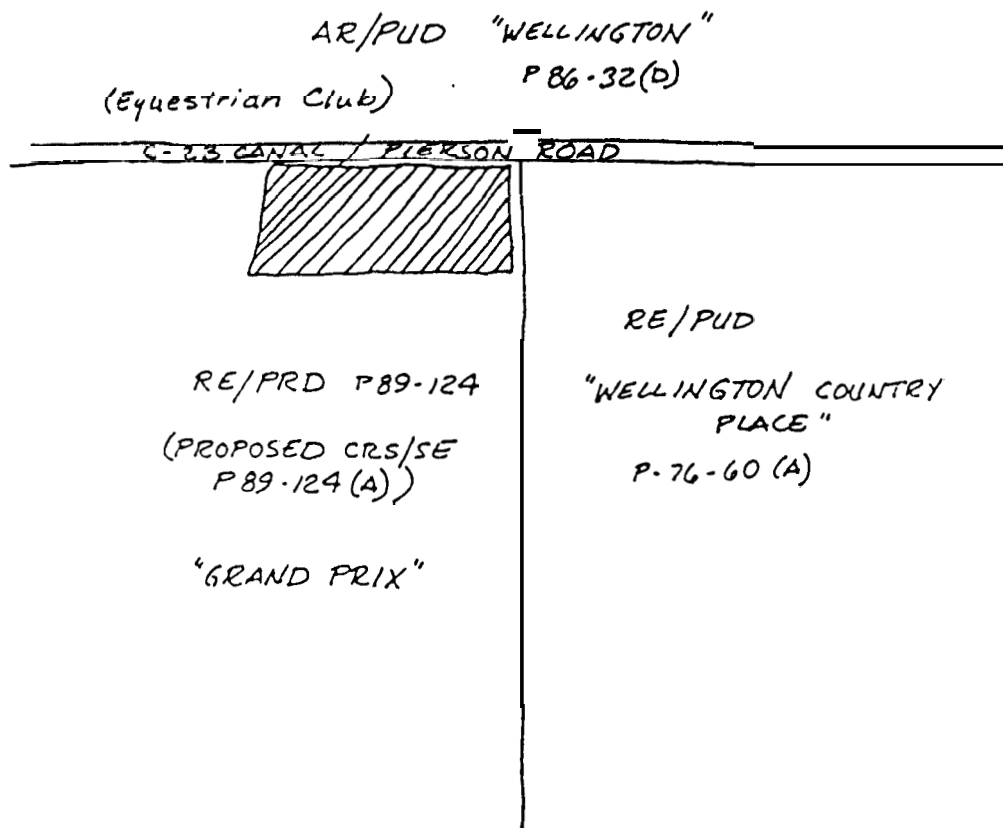
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DEPUTY CLERK



Sec. 20 Twp. 44 Rng. 41
Quadrant Sheet: 78
Aerial Page: 232 B

Vicinity
Sketch



Request:

REZONING: RE TO **AR** **SPECIAL EXCEPTION:** VETERINARY
CLINIC (LIVESTOCK ONLY).

PETITION NO: 91-48

BCC DISTRICT: 6