

RESOLUTION APPROVING ZONING PETITION **EAC86-32(M)**
DEVELOPMENT ORDER AMENDMENT/REQUESTED (R) USE
PETITION **OF** JESS SANTAMARIE, TRUSTEE

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, 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 Board **of** County Commissioners, pursuant to Article 6, Section 6.8 (Planned Development District Regulations) **of** the Palm Beach County Unified Land Development Code (Ordinance 92-20) is authorized and empowered to approve, approve with conditions or deny Requested Uses within **a** Planned Development District; and

WHEREAS, the notice and hearing requirements, as provided for in Article 6, Section 6.8, of the Palm Beach County Unified Land Development Code have been satisfied; and

WHEREAS, Zoning Petition **EAC86-32(M)** was presented to the Board of County Commissioners at a public hearing conducted on March 30, 1995; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, the recommendations **of** the various county review agencies, and the recommendations of the Zoning Commission; and

WHEREAS, this approval is ~~subject to~~ Article 5, Section 5.8 (Compliance with Time Limitations) **of** the Palm Beach County Unified Land Development Code 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 Development Order Amendment and Requested Use are consistent with the Palm Beach County Comprehensive Plan.
2. This Development Order Amendment and Requested Use are consistent with the requirements **of** the Palm Beach County Unified Land Development Code.
3. This Development Order Amendment and Requested Use are consistent with all requirements of Article 6, Section 6.8 (Planned Development District Regulations) **of** the Palm Beach County Unified Land Development Code, Ordinance 92-20.
4. This Development Order Amendment and Requested Use are consistent with all other applicable local land development regulations.

WHEREAS, Article 6, Section 6.8, **of** the Palm Beach County Unified Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Petition **EAC86-32M**, the petition of Jess Santamarie for a REQUESTED USE to allow a general day care (maximum **40** children), and to expand a veterinary clinic on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on March 30, 1995, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Marcus moved for the approval of the Resolution.

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

Ken Foster, Chair	--	Aye
Burt Aaronson	--	Absent
Maude Ford Lee	--	Aye
Karen T. Marcus	--	Aye
Mary McCarty	--	Absent
Warren Newell	--	Aye
Carol A. Roberts	--	Absent

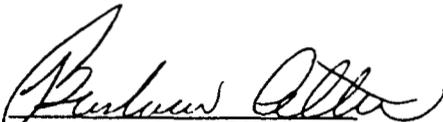
The Chair thereupon declared that the resolution was duly passed and adopted this 30th day of March, 1995.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

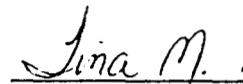
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILXEN, CLERK

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK

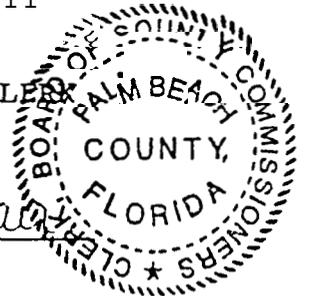


EXHIBIT A

LEGAL DESCRIPTION

PARCEL NO. 1:

Tract "C", THE PINES OF WELLINGTON, according to the Plat, thereof, as recorded in Plat Book 37, Pages 8, 9 and 10 of the Public Records of Palm Beach County, Florida, LESS a parcel of land lying in Tract "C", THE PINES OF WELLINGTON, according to the Plat thereof, no recorded in Plat Book 37, Pages 8, 9 and 10 of the Public Records of Palm Beach County, Florida, being more particularly described as follows:

Begin at the most Southerly corner of said Tract "C"; thence bear North $24^{\circ}16'19''$ West, (bearings and distances used are relative to those shown on an adjusted survey drawing #L.79-0032 dated 8th February, 1979 on file in the Office of Dailey-Fotorny, Inc.), along the Westerly line of said Tract "C", a distance of 328.89 feet to a point of curvature of a curve concave Easterly and having a radius of 2265.11 feet; thence Northerly along said curve, being the said Westerly line of Tract "C", through a central angle of $0^{\circ}24'27''$ an arc distance of 16.11 feet; thence bear North $65^{\circ}43'41''$ East, a distance of 146.42 feet to the point of curvature of a curve concave Northwesterly and having a radius of 100.00 feet; thence Easterly and Northerly along said curve through a central angle of $14^{\circ}22'48''$ an arc distance of 25.10 feet; thence bear South $42^{\circ}19'06''$ East, a distance of 325.74 feet to a point in the Southeasterly line of said Tract "C"; thence Southwesterly along the said Southeasterly line of Tract "C", being a curve concave to the Northwest and having a radius of 700.00 feet, through a central angle of $19^{\circ}04'11''$ an arc distance of 232.98 feet to a Point of Tangency of said curve; thence bear South $65^{\circ}43'41''$ West, tangent to the previous curve and along said Southeasterly line of Tract "C", a distance of 43.52 feet to the Point of Beginning.

PARCEL NO. 2:

Easemento for the benefit of Parcel No. 1 herein above, as created by that Agreement recorded in Official Records Book 3127, Page 1720 for ingress and egress, over and across those portions of the lands described in Exhibits "C", "D" and "E" of said Agreement which lie within the following described parcel of land:

A parcel of and lying in Tract "C", THE PINES OF WELLINGTON, according to the Plat thereof as recorded in Plat Book 37, Pages 8, 9 and 10, of the Public Records of Palm Beach County, Florida, being more particularly described as follows:

EXHIBIT A

LEGAL DESCRIPTION

Begin at the most Southerly corner of said Tract "C"; thence bear North 24 degrees 16' 19" West, (bearings and distances used are relative to those shown on an adjusted survey drawing #L.79-0032 dated 8th February, 1979 on file in the Office of Dailey-Fotorny, Inc.), along the Westerly line of said Tract "C", a distance of 328.89 feet to a point of curvature of a curve concave Easterly and having a radius of 2265.11 feet; thence Northerly along said curve, being the said Westerly line of Tract "C", through a central angle of 0 degree 24' 27" an arc distance of 16.11 feet; thence bear North 65 degrees 43' 41" East, a distance of 146.42 feet to the point of curvature of a curve concave Northwesterly and having a radius of 100.00 feet; thence Easterly and Northerly along said curve through a central angle of 14 degrees 22' 48", an arc distance of 25.10 feet; thence bear South 42 degrees 19' 06" East, a distance of 325.74 feet to a point in the Southeasterly line of said Tract "C"; thence Southwesterly along the said Southeasterly line of Tract "C", being a curve concave to the Northwest and having a radius of 700.00 feet, through a central angle of 19 degrees 04' 11" an arc distance of 232.98 feet to a Point of Tangency of said curve; thence bear South 65 degrees 43' 41" West, tangent to the previous curve and along said Southeasterly line of Tract "C", a distance of 43.52 feet to the Point of Beginning.

Subject to the terms, provisions and conditions set forth in said Agreement.

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EXHIBIT B
VICINITY SKETCH

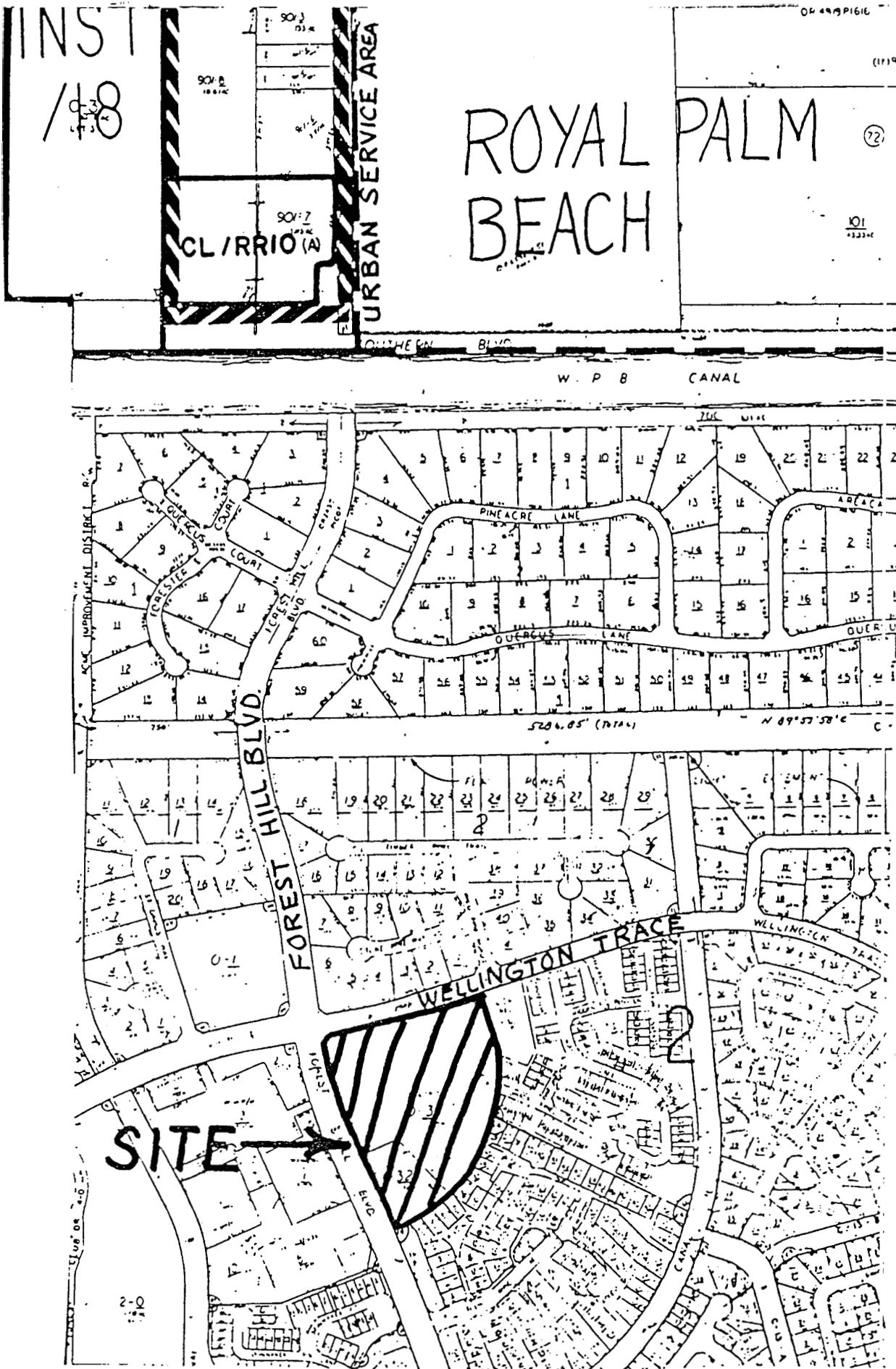


EXHIBIT C

CONDITIONS OF APPROVAL

A. APPLICABILITY

1. The following conditions shall apply to Petition **86-32(M)** (expansion of day care and veterinary clinic) only. (MONITORING)

B. HEALTH

1. Architectural plans for the expanded day care center must be submitted to the Environmental Health Section, Palm Beach County Public Health Unit, in accordance with Chapter 10D-24 prior to issuance of a building permit. (HEALTH)

E. ENGINEERING

1. 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, Zoning Petition Number **86-32(M)**, to be paid at the time of issuance of the Building Permit for the 1,130 square foot day care expansion presently is **\$2,310.00** (42 additional trips X \$55.00 per trip). (IMPACT FEE COORDINATOR)