

RESOLUTION NO. R- 82-639

RESOLUTION APPROVING ZONING PETITION 82-49, Special Exceptio

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. 82-49 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 29 April 1982; 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, the Board of County Commissioners made the following findings of fact:

1. The proposal would be in harmony and compatible with the present and future development of the area concerned

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 29th day of April, 1982, that Petition No. 82-49 the petition of JEWISH COMMUNITY CENTER OF THE PALM BEACHES, INC. by Gary C. Kresser, Agent, for a SPECIAL EXCEPTION TO ALLOW A RECREATION FACILITY AND CLUB, A DAYCARE CENTER, INCLUDING AN ON-SITE WATER AND SEWAGE TREATMENT FACILITY on Lot E, Block 33, Lot

E, Block 34, Lots A, B and C, Block 63, Lots A and B, Block 64, Lots A, B, C, D and E, Block 61, Lots A, B, C, D and E, Block 62, of the Palm Beach Farms Company Plat No. 7, in Section 30, Township 44 South, Range 43 East, as recorded in Plat Book #5, page 72. Said property located on the west side of Congress Avenue (S.R. 807) and on the east side of 32nd Drive South, approximately .3 mile south of Lake Worth Road (S.R. 802) in an RM-Residential Multiple Family District (Medium Density), was approved as advertised subject to the following conditions:

1. The developer shall convey to Palm Beach County within 90 days of Special Exception approval 43 ft. from the east line of Section 30 for the ultimate right-of-way for Congress Avenue.
2. The development shall not be permitted a median opening on Congress Avenue.
3. The developer shall contribute Three Thousand Seven Hundred and Fifty Dollars (\$3,750.00) toward the cost of meeting this project's direct and identifiable traffic impact, to be paid on a pro-rata basis at the time of issuance of the building permit(s).
4. The developer will take reasonable precautions during the development of this project to insure that fugitive **particulates** (dust particles) from this project do not become a nuisance to neighboring properties.
5. The developer will take necessary precautions to insure there will be no pollutant run-off from this project to adjacent or nearby surface waters.
6. The developer shall provide for a 6 ft. high opaque fence or wall around the proposed play area.
7. The developer shall provide adequate floor space and outdoor play area for the **daycare** center pursuant to County **daycare** center regulations.
8. Landscaping shall conform to Code for any future parking expansion.
9. The petitioner shall obtain a variance for grass parking **or** be required to indicate and provide for paved parking prior to site plan certification.

10. When County water and sewer utilities become available to this property, the developer will remove on-site facilities, connect to County facilities and pay their fair share cost of extending these facilities. In addition, the developer shall be required to file **and** record a removal agreement with the County guaranteeing removal of such on-site facilities.

Commissioner **Bailey**, moved for approval of the petition.

The motion was seconded by Commissioner **Faster**, and upon being put to a vote, the vote was as follows: **5-0**

Norman Gregory, Chairman	YES
Peggy Evatt, Vice Chairman	YES
Bill Bailey, Member	YES
Dennis Koehler, Member	YES
Frank Foster, Member	YES

The foregoing resolution was declared duly passed and adopted this **29th** day of June, 1982, confirming action of 29 April 1982.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk A

By: *Quiti Van Otter*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John Crockett
County Attorney

