

RESOLUTION NO. R-83-1430

RESOLUTION APPROVING ZONING PETITION 83-116, Special Exception

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. 83-116 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 25th August 1983; 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 proposed rezoning and special exception are consistent with the requirements of the Comprehensive Plan and Zoning Code.
2. Recognizing that a Mobile Home Rental Park is only a temporary use that could be discontinued if noise levels from the airport exceed acceptable levels at some time in the future, the proposed use would be acceptable at this location, at this time.
3. Provided that this development is connected to the Pahokee Sewage System and that the package plant is removed as soon as service is available, the proposal would be consistent with the Mandatory Performance Standards.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 25th day August 1983, that Petition No. 83-116 the petition of HATTON PROPERTIES, INC., By Dwight R. Weyant, Agent, for a SPECIAL EXCEPTION TO ALLOW A MOBILE HOME RENTAL PARK INCLUDING SEWAGE TREATMENT PLANT on a parcel of land described as follows:

Commencing at the Northwest corner of Section 25, Township 42 South, Range 36 East; thence South $2^{\circ}39'12''$ East 130 feet along the West line of said Section 25; thence North $89^{\circ}27'09''$ East 85.90 feet along a line

parallel with the North line of said Section 25; thence at right angles to the preceding course South $0^{\circ}52'51''$ East 70.00 feet to the Point of Beginning of the hereinafter described parcel, thence North $05^{\circ}07'09''$ East 615.59 feet along a line parallel with the North line of said Section 25; thence South $29^{\circ}42'39''$ West 1203.59 feet; thence South $0^{\circ}39'18''$ East 352.41 feet to the Northeasternly right-of-way line of State Road 717 (also known as State Road 715); thence North $27^{\circ}50'16''$ West 456.71 feet along said right-of-way line to the beginning of a curve concave to the Northeast having a radius of 1035.00 feet; thence Northwesternly and Northeasternly along said curve through a central angle of $29^{\circ}50'55''$ and arc distance of 956.00 feet; thence North $09^{\circ}07'09''$ East 232.79 feet parallel with the North line of said Section 25; thence at right angles to the preceding course North $0^{\circ}52'51''$ West 140.00 feet to the Point of Beginning. Bearings shown in this description are in agreement with those shown on Right-of-Way Map for State Road 717 (Section 9375-111) dated 4-4-49, no revisions shown, sheet 3 of 5 sheets, less the following described parcel of land;

Commencing at the Northwest corner of Section 25, Township 42 South, Range 36 East, Palm Beach County, Florida; thence South $0^{\circ}39'18''$ East 130 feet along the West line of said Section 25; thence North $09^{\circ}07'09''$ East 85.90 feet along a line parallel with the North line of said Section 25; thence at right angles to the preceding course, South $0^{\circ}52'51''$ East 210 feet to the point of beginning of the hereinafter described parcel; thence South $0^{\circ}52'51''$ East 107.00 feet; thence South $09^{\circ}07'09''$ West 232.70 feet to a point on a curve concave to the Northeast, having a radius of 1035.00 feet, from said point a radial bears North $06^{\circ}10'11''$ East; thence Northwesternly 107.00 along the arc of said curve, through a central angle of $5^{\circ}50'28''$; thence North $09^{\circ}07'09''$ East 232.79 feet to the point of beginning. Said property located on the east side of S.R. 715, approximately .7 miles north of Morgan West Road was approved as advertised subject to the following conditions:

1. This development shall remain onsite the first one inch of the stormwater runoff per Palm Beach County Sub-division and Platting Ordinance 73-4 as amended.

2. The property owner shall convey any additional right-of-way, if required, for S.R. 715 to provide for a 120 foot section of roadway concurrent with the filing of a boundary plat, per the County Engineer's approval.

3. The property owner shall record a plat, per the County Engineers approval, prior to the issuance of a tie-down permit.
4. The developer shall construct concurrent with on-site paving and drainage improvements pursuant to permit issued by the County Engineers:
 - a) right turn lane, south approach.
 - b) left turn lane, north approach.
5. The developer shall align the project's entrance onto S.R. 715 with S.W. 15th Place, if required by the County Engineers.
6. The developer shall contribute Twelve Thousand and Seventy Five Dollars (\$12,075.00) toward the cost of meeting this project's direct and identifiable impact, to be paid at the rate of \$175.00 per mobile home tie-down permit.
7. The developer shall take reasonable precautions during the development of this property to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties.
8. The developer shall take necessary measures during the development of this property to prevent pollutant run-off to neighboring and nearby surface waters.
9. Within 60 days of written notice by the Health Department that sewage connection to the City of Pahokee Sewage System is possible, the developer shall connect this project to the Pahokee Sewage System and shall remove the temporary package plant.
10. The developer shall install landscaping, bike path, and recreation amenities as shown on Exhibit #1.

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

Peggy E. Evatt, Chairman	-- ABSENT
Ken Spillias, Vice Chairman	-- AYE
Dennis P. Koehler, Member	-- AYE
Dorothy Wilken, Member	-- AYE
Bill Bailey, Member	-- ABSENT

The foregoing resolution was declared duly passed and
 adopted this 8th day of November, 1983 , confirming action of
 25th August 1983 .

APPROVED AS TO FORM AND
 LEGAL SUFFICIENCY

John Carlett
 County Attorney

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Grace D. Perez
 Deputy Clerk

