

RESOLUTION NO. R- 84-825

RESOLUTION APPROVING ZONING PETITION 84-22, **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

WHEREFIS, the notice and hearing requirements as provided for in Chapter 482.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 84-22 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23rd February 1984; 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

WHEREFIS, the Board of County Commissioners made the following findings of fact:

1. The proposed special exception is consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 23rd day February 1984, that **Petition No. 84-22 the petition of THG TAURUS DEVELOPMENT ONE, INC., By Lorenz Reibling, Agent, for a SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on the South 1/2 of that part of the North 1/2 of the Southeast 1/4 of Section 26, Township 46 South, Range 42 East, lying South of Lake Worth Drainage District Lateral Canal No. 37. Said property located on the west side of Military Trail (S. R. 809) being bounded on the west by Lake Worth Drainage District Equalizing Canal No. E-3, approximately .6 mile south of Linton Boulevard (S. W. 12th Street) was approved as advertised subject to the following conditions:**

1. Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.
- E. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
3. Property owner shall convey, by either easement or deed, to the Lake Worth Drainage District, an easement for Equalizing Canal No. 3. The East right-of-way line is to be set 145 feet east of and parallel with the West right-of-way line as recorded in the Plat of Boca Delray (Plat Book 44, Pages 22-28) public records of Palm Beach County, Florida.
4. The development shall retain onsite the first one inch of the stormwater runoff per Palm Beach county Subdivision and Platting Ordinance 73-4, as amended.
5. The developer shall contribute One Hundred Twenty-five Thousand Dollars (\$125,000.00) to the Military Trail Roadway Improvements Program.

This money shall be in the form of a Clean Irrevocable Letter of Credit which shall be posted with Palm Beach County within one month of Special Exception approval and may be called by Palm Beach County after 2 months of Special Exception approval.
6. This Special Exception approval is limited to 78 building permits until Military Trail is widened along the project's frontage.
7. This development shall accommodate the runoff from the Military Trail road drainage system and shall be subject to all Governmental Agency requirements.
8. The developer shall convey a temporary construction easement, per the County Engineer's approval for the Military Trail construction program. This construction easement shall be for a 12 month time period.
3. The site plan shall be revised to show this project's entrance road aligned with Live Oak Boulevard.
10. This project's impact fee assessment of Thirty Thousand Dollars (\$30,000.00) shall be credited towards meeting the roadway improvements as outlined in Condition #5 above,
- ii. The developer shall preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measures shall also be taken to protect these preservation areas during site clearing and construction.

Commissioner Wilken, moved for approval of the petition.

The motion was seconded by Commissioner Bailey,

and upon being put to a vote, the vote was as follows:

Ker Spi ll i as, Chairman	-- AYE
Dorothy Wi l kens, Vice Chairman	-- AYE
Peggy Evat t , Member	-- AYE
De&is P. Koehler, Member-	-- ABSENT
Bi ll Bai ley, Member-	-- AYE

The foregoing resolution was declared duly passed and adopted this 19th day of June, 1984, confirming action of

23rd February 1384.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Sandie Slouka 11/18/17
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
County Attorney

