

RESOLUTION NO. R-84-1156

RESOLUTION APPROVING ZONING PETITION 83-33 (A), 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. 83-33(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 26th of April 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

WHEREAS, 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~~.
2. If landscaped and developed according to the proposed plan, this development would not have any significant impacts upon adjoining properties.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 26th day of April 1984, that Petition No. 83-33(A) the petition of THOMAS R. AND SHERYL I. DAVIDOFF, SAMUEL S. SCHWARTZ By Kieran J. Kilday, Agent for THE SPECIAL EXCEPTION TO AMEND THE SITE PLAN PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 83-33 on Lots 1 thru 7, inclusive and Lots 18 thru 24, inclusive. Kanahwa Park, in Section 28, Township 44 South, Range 42 East, as recorded in Plat Book 23, Page 248, together with that part of **Barnet** Street as abandoned per resolution R-83-1560 being specifically described as follows:

That part of **Barnet** Street lying East of and contiguous to Lots 1

and 24, Kanawha Park, as recorded in Plat Book 23, Page 248; said parcel being bounded on the North by the Easterly prolongation of the North line of said Lot 1 and being bounded on the South by the Easterly prolongation of the South line of said Lot 24. Said property located on the south side of Canal Drive and Lake Worth Road (S.R.802) approximately 1 mile east of the Florida Turnpike was approved as advertised was approved as advertised subject to the following conditions:

1. **Landscaping** and buffering provisions along the south **property** boundary shall be installed as shown on File Exhibit #30 in addition to the **installation** of canopy trees planted at **twenty** feet on center along the south half of the western property boundary.
2. Security **lighting** shall be directed away from nearby **residences**.
3. Dumpster and **loading** activities shall be limited to no closer than 150' from the southern property line, and enclosed by a masonry wall.
4. The developer shall construct concurrent with on Site Paving and drainage improvements authorized by a permit issued from the office of the County Engineer, a street connection from the project's entrances onto Canal Drive to Lake Worth Road.
5. This development shall not be permitted a median opening on Lake Worth Road at the eastern terminus of Canal Drive.
6. The developer shall contribute Fifteen Thousand Five Hundred and Fifty Dollars (\$15,550) toward the cost of meeting this project's direct and identifiable traffic impact to be paid at the rate of \$250.00 per thousand square feet of General Office Building and \$938.00 per 1,000 square feet of Medical Office Building.
7. NO access shall be permitted to either **Barnet Street or Clendenin Street**.
8. The development must retain **onsite** 85% of the **stormwater runoff** generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.
9. 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.
10. The developer shall take necessary measures during the development of this property to prevent pollutant run-off to neighboring and nearby surface waters.

Commissioner Bailey , 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:

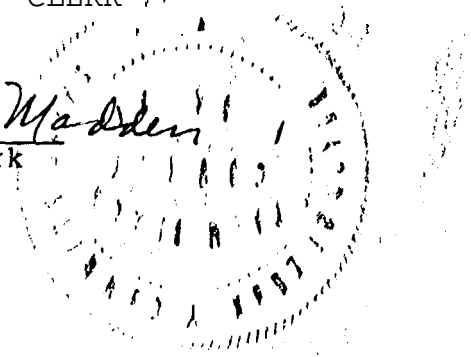
Ken Spillias, Chairman -- ABSENT
Dorothy Wilkens, Vice Chairman -- AYE
Peggy Evatt, Member -- ABSENT
Dennis P. Koehler, Member -- AYE
Bill Bailey, Member -- AYE

The foregoing resolution was declared duly passed and adopted
this AUG 21 1984, confirming action of the 26th of
April 1984.

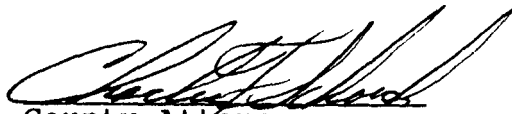
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Trudy Madden
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney