

RESOLUTION NO. R-85-257

RESOLUTION APPROVING ZONING PETITION 84-121, 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. 84-121 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 27th of September 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 proposal is consistent with the requirements of the Comprehensive Plan,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 27th of September 1984, that Petition No. 84-121 the petition of TOMAS DATORRE By Sally S. Benson, Attorney, for a SPECIAL EXCEPTION TO ALLOW A PLANNED RESIDENTIAL DEVELOPMENT on the South 1/2 of the Southwest 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 1, Township 45 South, Range 42 East. Said property located on the east side of Military Trail (S.R. 809) approximately .8 mile north of Hypoluxo Road was approved as advertised subject to the following conditions:

1. The developer shall relocate and/or preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measures shall also be taken to protect any individual trees and/or preservation areas during site clearing and construction,
2. This development shall retain on-site the first **one** inch of **the** stormwater runoff per Palm Beach County Subdivision and platting

Ordinance 73-4, as amended. It is also recommended the developer obtain legal positive outfall for this 5.18 acre project or receive a variance from this code requirement.

3. The property owner shall convey for the ultimate right-of-way of Military Trail, 53 feet from centerline, approximately an additional 3 feet within 90 days of adoption of the Resolution by the Board of County Commissioners; conveyance must be accepted by Palm Beach County prior to issuance of first Building Permit.

4. The developer shall construct concurrent with on-site paving and drainage improvements pursuant to a Paving and Drainage Permit issued from the office of the County Engineer, a left turn lane, north approach on Military Trail at the project's entrance road.

5. 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,

6. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.

7. The developer 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.

Presently the Fair Share Fee for this project is \$300.00 per approved single family dwelling and \$200.00 per approved multi-family dwelling,

Commissioner Koehler, 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:

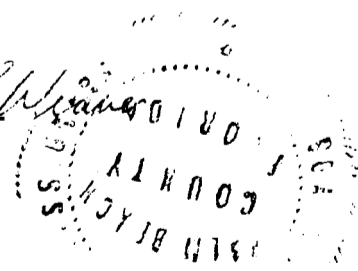
Ken Spillias, Chairman	--	_AYE
Dorothy Wilkens, Vice Chairman	--	AYE
Peggy Evatt, Member	--	AYE
Dennis P. Koehler, Member	--	AYE
Bill Bailey, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this day of FEB 19 1985 confirming action of the 27th of September 1984.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Patricia S. [Signature]  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

[Signature]  
County Attorney