

RESOLUTION NO. R- 85-276

RESOLUTION APPROVING ZONING PETITION **82-174 (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. **82-174 (A)** was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the **1st** of November **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. With minor amendment to the site plan, the proposal will be consistent with Zoning Code requirements.
2. 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 1st of November **1984**, that Petition No. **82-174 (A)** the petition of AFFIRMATION LUTHERAN CHURCH, INC., By Frank W. Eilermann, Agent for a SPECIAL EXCEPTION TO AMEND THE MASTER PLAN FOR WEST BOCA ESTATES PLANNED UNIT DEVELOPMENT PREVIOUSLY APPROVED UNDER ZONING PETITION NO. **82-174**, TO INCLUDE A CHILD DAY CARE CENTER on a portion of Tract **89**, Block **77**, Palm Beach Farms Company Plat No. **3**, in Section **18**, Township **47** South, Range **42** East, as recorded in Plat Book **2**, Pages **45** through **54**, lying Northerly of the existing North right-of-way line of Boca Raton West Road (Glades Road, **S.R.808**), as per Road Book **4**, Pages **5-14**, more particularly described as follows: Commence at the Southeast corner of said Tract **89**; thence North,

along the East line of said Tract 89 for 38.00 feet to the Point of Beginning of the following described parcel; thence West, along the North right-of-way line of said Boca Raton West Road, for 120.00 feet; thence North, parallel with the East line of said Tract 89 for 288.50 feet; thence East, parallel with said North right-of-way line of Boca Raton West Road for 120.00 feet; thence South, along the East line of said Tract 89 for 288.50 feet to the Point of Beginning. Said property located on the north side of Glades Road (S.R.808), approximately 210 feet east of 95th Avenue South in an RS-Residential Single Family District was approved as advertised subject to the following conditions:

1. Prior to Site Plan Certification a revised site plan shall be submitted to reflect the required 6 foot high fence surrounding the outdoor activity area.
2. 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.
3. 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.
4. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
5. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-one hour storm per requirements of the Permit Section, Land Development Division.
6. The property owner shall convey for the ultimate right of way of Glades Road, 80 feet from centerline 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.
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 \$5,275.00.

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:

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

The foregoing resolution was declared duly passed and adopted

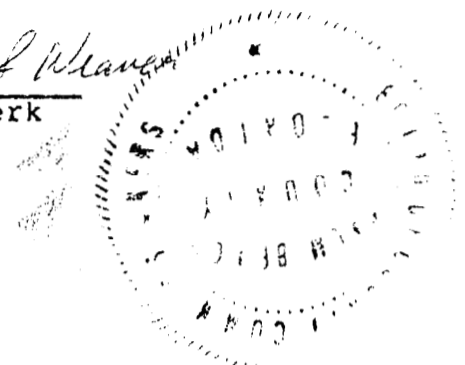
this day of FEB 19 1985.
November 1984.

confirming action of the 1st of

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Patricia A. Blanton
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Sandy Sprague
County Attorney