

RESOLUTION NO- R-87-417

RESOLUTION IMPROVING ZONING PETITION 81-181(A), Special Exception

WHEREFIS, 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. 81-181(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on October 23, 1986 and

WHEREFIS, 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 required site plan modification, this proposal will be 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 24th day of March, 1987, that: Petition No. 81-181(A), the petition of CHARLES C. FIND LAJAUN REYSIDE By Kieran J. Kilday, Agent, for a SPECIFIC EXCEPTION TO AMEND FIND EXPLAIN THE SITE PLAN FOR A COMMERCIAL UTILITY TRAILER STORAGE AND REPAIR FACILITY FIND LOT, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 81-181 TO INCREASE THE LAND AREA BY 1.5 ACRES FIND TO INCREASE BUILDING SQUARE FOOTAGE on the South 172 feet of the East 630 feet of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of

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Section 13, Township 44 South, Range 42 East, LESS the East 53 feet as recorded in Deed Book 854, Page 560 and in Official Record Book 1015, Page 133. Together with: Beginning at a point 172 feet North of the Southeast corner of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4, also known as Tract 16, of Section 13, Township 44 South, Range 42 East, thence run North along the 1/4 Section line, a distance of 66 feet, thence run West, parallel to the South boundary of said 1/4 Section a distance of 660 feet, more or less, to the West line of said Tract 16, thence South parallel to the Eastern boundary of said 1/4 Section a distance of 66 feet; thence run East parallel to the South line of said 1/4 Section to the Point of Beginning, Less the East 53 feet road Right-of-way. Together with: The North 65.55 feet of the following described property: Beginning at a point 198 feet North of the Southeast corner of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 13, Township 44 South, Range 42 East, thence run North along the 1/4 Section line a distance of approximately 105.55 feet; thence run ~~West~~ parallel to the North boundary of said 1/4 Section line a distance of approximately 666.25 feet; thence run South parallel to the East boundary of said 1/4 Section a distance of approximately 104.20 feet; thence run East parallel to the North boundary of said 1/4 Section line a distance of approximately 666.25 feet to the Point of Beginning, less the East 53 feet thereof for Road Right-of-way. Parcel of land lying in the Southeast 1/4, of the Southeast 1/4, of the Southwest 1/4, of Section 13, Township 44 South, Range 42 East, being more particularly described as follows: Commencing at the Southeast corner of the said Southwest 1/4, of Section 13; thence, North 87 degrees 55' 22" West, along the South line of the said Southwest 1/4, a distance of 53.00 feet to the West Right-of-way line for Military Trail recorded in Deed Book 854, Page 560 and Official Records Book 1015, Page 133, and the Point of Beginning. Thence, continue North 87 degrees 55' 22" West, along said South line of the

Southwest 1/4, a distance of 577.01 feet; thence, North 01 degree 41'42" East, parallel with and 630.00 feet West of the East line of the said Southwest 1/4, a distance of 142.00 feet; thence, North 87 degrees 55'22" West, parallel with the said South line of the Southwest 1/4, a distance of 36.69 feet; thence, North 01 degree 37-19" East, along the West line of the said Southeast 1/4, of the Southeast 1/4, of the Southwest 1/4, also known as the West line of Tract 16, a distance of 130.34 feet; thence, South 88 degrees 01'37" East, along a line parallel with the North line of the said Southeast 1/4, of the Southeast 1/4, of the Southwest 1/4, a distance of 613.86 feet; thence, South 01 degree 41'42" West, along the said West Right-of-way line of Military Trail, a distance of 273.45 feet to the Point of Beginning, less, however, the South 30.00 feet thereof for Lake Worth Drainage District Lateral 10 Canal Right-of-way. Said property located on the west side of Military Trail (S.R. 809), approximately .2 miles south of Cresthaven Boulevard was approved as advertised subject to the following conditions:

1. The developer shall comply with all previous conditions of approval, unless expressly modified herein.
2. Prior to site plan certification, the site plan shall be amended to reflect one (1) of two (2) alternative perimeter landscape strips where the project abuts residentially zoned property.
3. Prior to site plan certification, the developer shall submit all necessary application requirements for a vegetation removal permit.
4. The developer shall meet the stormwater retention requirements in effect at the time of the permit application for the applicable drainage district. However, at a minimum, the development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-one (1) hour storm per requirements of the Permit Section, Land Development Division. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer. In the event that the drainage system is not adequately maintained to the satisfaction of the County Engineer, the matter shall be submitted to the Code Enforcement Board for review and possible citation.
5. The property owner 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. The Fair Share Fee for this

project presently is \$4,394.00 (164 trips X \$26.79 per trip).

- The property owner shall convey to the Lake Worth Drainage District the south 30 feet of the subject property being the same 30 feet excepted for Lateral No. 10 right-of-way by Quit Claim Deed or an Easement Deed in the form provided by said District within ninety (90) days of adoption of the Resolution by the Board of County Commissioners.

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

Karen T. Marcus	-- AYE
Jerry L. Owens	-- AYE
Ken Spillias	-- ABSENT
Dorothy Wilken	-- AYE
Kenneth M. Adams	-- ABSENT

The foregoing resolution was declared duly passed and adopted this 24th day of March, 1987 confirming action of October 23, 1986.

PRIM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Jina M. Eddings  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY



County Attorney