

RESOLUTION NO. R-87-880

RESOLUTION APPROVING ZONING PETITION 84-197(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. 84-197(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on January 29, 1987; 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 required site plan modifications, this proposal will be consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 84-197(A), the petition of EMMETT E. AND BEATRICE O. STEGALL By Kieran J. Kilday, Agent, for a SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT on the West 135.0 feet, of the North 225.0 feet, of the East 1/2, of the Northeast 1/4, of the Northwest 1/4, of the Northeast 1/4, of Section 25, Township 44 South, Range 42 East. Said property located on the south side of Lake Worth Road (S.R. 802), approximately 150 feet east of Urquhart Street was approved as advertised, subject to the following conditions:

1. Prior to site plan certification, the site plan shall be amended to reflect the following at least one (1) tree within each terminal island.
2. The site shall be used for the sale of precast concrete products, such as stepping stones, benches, pottery, lawn edging and other items for home and garden use.
3. The developer shall retain the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application. However, at a minimum, this 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. 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 as determined by the County Engineer this matter will be reviewed by the Code Enforcement Board for enforcement.
4. The property owner shall construct 42nd Way from Lake Worth Road South to the project's entrance road concurrent with onsite paving and drainage improvements (minimum 2-10 foot travel lanes, local street standards).
5. The developer shall comply with all conditions of previous approvals unless expressly modified herein.

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

Carol R. Roberts	--	Aye
Jerry L. Owens	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Absent
Kenneth M. Adams	--	Absent


The foregoing resolution was declared duly passed and adopted this 23rd day of June, 1987 confirming action of January 29, 1387.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Lina M. Eldridge  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
County Attorney