

RESOLUTION NO. R-87-897

RESOLUTION APPROVING ZONING PETITION 85-51(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

WHEREFIS, 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. 85-51(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 5, 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

WHEREFIS, 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. 85-51(A), the petition of PATRICK AND PAULA MOREE for a SPECIAL EXCEPTION TO AMEND FIND EXPRND THE SITE PLRN FOR A CHILD DAY CARE CENTER, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 85-51, TO INCREASE BUILDING SQUARE FOOTAGE AND TO INCREASE THE LAND AREA BY .285 ACRES on the West 6.03 feet of Lot 7, and all of Lots 8 and 3, Plat Of Trail Acres, as recorded in Plat Book 20, at page 90. LESS the North 7 feet thereof for road Right-of-way, said property located on the south side of Gun Club Road, approximately 150 feet west of Pine Way Trail in an RW-Residential Multiple Family Zoning

District (Medium Density) 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 the following:
  - a) elimination of the play area within the 25 foot setback along Gurr Club Road.
  - b) elimination of the proposed building addition or obtain variance relief from the Board of Adjustment.
  - c) a five (5) foot terminal landscape island east of the access point onto Gurr Club Road.
3. 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 \$2,304.00 (86 trips X \$26.79 per trip) for the proposed addition.

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

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

The foregoing resolution was declared duly passed and adopted this 23rd day of June, 1987 confirming action of January 5, 1987.

PALM 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

[Signature]  
County Attorney