

RESOLUTION NO. R- 87-1115-A

RESOLUTION APPROVING ZONING PETITION 87-5: 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. 87-5 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on March 26, 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, assembled in regular session that Petition No. 87-5, the petition of JACK F. AND SHELAH O. KEEN, by Paul Parker, Agent, for a SPECIAL EXCEPTION TO ALLOW A PRIVATE EDUCATIONAL INSTITUTION, INCLUDING A CHILD DAY CARE FACILITY on the South 140 feet of the North 160 feet of the South 1/2 of the Northeast 1/4 of Tract 6 LESS the East 8 feet thereof, Block 3, Palm Beach Farms Company Plat No. 3 in Section 28, Township 43 South, Range 42 East, as recorded in Plat Book 2 pages

45 through 54 inclusive. Said property located on the southwest corner of the intersection of Skees Road and Ruth Lane 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:
 - a. Required landscaping between off-street parking areas and right-of-way.
 - b. the six (6) foot wall along the west, south and north property lines or the establishment of Alternative Landscape Strip number three (3), with a ten (10) foot landscape strip and a berm, hedge, fence or wall to a height of six (6) feet.
 - c. elimination of the play areas between the proposed buildings and the south property line.
2. No building permit shall be issued for the subject property until such a time that the site is connected to a public sewer system and/or water supply system.
3. Since sewer and water service is available to the property, septic tank and well shall not be approved for use on said property.
4. 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.
5. The property owner shall convey for the ultimate right-of-way of Skees Road, 40 feet from centerline within ninety (90) days of the approval of the Resolution approving this project.
6. The property owner shall construct a left turn lane, south approach on Skees Road at the project's entrance road concurrent with onsite paving and drainage improvements.
7. The developer 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 \$28,022.00 (1,046 trips X \$26.79 per trip). Based on the Traffic Performance Standards (Category "B"), the developer shall contribute an additional \$7,006.00 toward Palm Beach County's existing Roadway Improvement

Program, these total funds of \$35,028.00 to be paid prior to the issuance of the first building permit or prior to August 1, 1987 whichever shall first occur.

If the "Fair Share Contribution for Road Improvements Ordinance" is amended to increase the Fair Share Fee, this additional amount shall be credited toward the increased Fair Share Fee.

8. The maximum number of children to be accommodated in the day care facility shall be one hundred and twenty two (122). The maximum number of children to be accommodated in the private school facility shall be one hundred and thirty seven (137).
9. The site plan presented by the petitioner at the Board of County Commissioners Zoning Authority Public Hearing held on March 26, 1987 shall be submitted to and become the basis for initial site plan review.

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

Carol A. Roberts	-- Absent
Karen T. Marcus	-- Aye
Dorothy Wilken	-- Aye
Kenneth M. Adams	-- Aye
Carol J. Elmquist	-- Aye

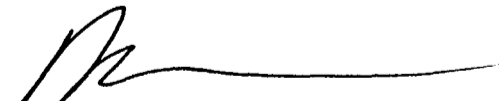
The foregoing resolution was declared duly passed and adopted this 28th day of July, 19_87 confirming action of March 26, 1987.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Kathryn S. Miller
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY



County Attorney