

RESOLUTION NO.. R- 87- 1192

RESOLUTION RPPROVING ZONING PETITION 67-13, Special Exception

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 183 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. 87-13 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on May 28, 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, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner; 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. 87-13 the petition of LARRY R. AND MOLLY T. NORMAN, by Linda La Bat, Agent, for a SPECIFIC EXCEPTION TO ALLOW OFFSHORE PUMP ISLAND FACILITIES on a Parcel of land in State Lot 4 in fractional Section 1, Township 44 South, Range 35 East, being more particularly described as follows: Commencing at the Northwestern corner of said fractional Section 1; thence South 0 degrees 05' 21" West along the Westerly boundary line of said fractional Section 1 a distance of 745.27 feet; thence North 89 degrees 37' 21" East, a distance of 75.00 feet to an intersection with the Easterly right-of-way line of a South Florida Conservancy District Canal, being also the Point-of-Beginning of this description; thence North 0 degrees 05' 21" East along said Easterly Right-of-way line of Canal, a distance of 450.02 feet to an intersection with the Southerly Right-of-way line of State Road No. 25 and 80 (U. S. 27) as shown in drawing by State of Florida, State Road Department titled "Right-of-Way Map, State Road No. 25 and 80" Section 93100-2113, Sheet 10, with last revision date of 11/14/63; thence North 89 degrees 37' 21" East along South Right-of-Way line of State Road No. 80 and 25 a distance of 123.95 feet to the beginning of a curve; thence along an arc of said curve, being concave in the Southwesterly side, having a radius of 150.00 feet, a Central angle of 90 degrees 00' 00", and whose long chord bears South 45 degrees 22' 39" East for a distance of 212.13 feet, arc distance being 235.62 feet; thence South 0 degrees 22' 39" East along the Westerly Right-of-way line of an access road as shown on aforementioned Right-of-way map a distance of 300.00 feet; thence South 89 degrees 37' 21" West a distance of 277.62 feet to the said Point-of-Beginning of this description. The property is located on the southwest corner of the intersection of SR 25 and 80 (U. S. 27) and an unnamed access road, and was approved as advertised subject to the following conditions:

1. Prior to site plan certification, the site plan shall be amended to indicate the following:
 - a) Required front setback.

- b) Required interior landscaping.
2. A minimum of fifty percent (50%) of the interior landscaping required shall be added to the perimeter landscape strips along U.S. 27 and the access road.
 3. The dumpster shall be screened on three (3) sides with a visually solid fence or wall a minimum of six (6) feet in height.
 4. There shall be no storage or placement of any materials, refuse, equipment or accumulated debris on site, except in the designated dumpster.
 5. The area designated as "Future Development" on the site plan shall be left in its natural state, pursuant to Section 500.35.F.17 (Eradication Program for Prohibited Plant Species) or landscaped.
 6. The application and engineering plans, calculations etc. to construct a septic tank must be submitted to the Health Department prior to site plan approval.
 7. Since water service is available to the property, a well shall not be approved for use on the property.
 8. 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 three (3) inches of the stormwater runoff generated by a three (3) year-one (1) hour storm as required by 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 referred to the Code Enforcement Board for enforcement.
 9. If required by the County Engineer or the South Florida Water Management District the developer shall design the drainage system such that storm water runoff from the parking areas and paved surfaced shall be separate from those areas which may contain hazardous or undesirable waste from the proposed site.
 10. The property owner shall construct a left turn lane, south approach on the existing access road at its intersection with U.S. 27 concurrent with onsite paving and drainage improvements.
 11. 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 \$35,175.00 (1,313 trips X \$26.79 per trip).
 12. There shall be no access to the site from U.S. 27 (S.R. 80).
 13. Prior to site plan certification, petitioner shall present evidence acceptable to the County Engineer that he has made all necessary applications to obtain all government approvals required to provide legal positive outfall to the site. In the interim, petitioner may obtain site plan approval by designing a drainage system that retains on site one hundred percent (100%) of the runoff from a 25-year, three (3)-day storm-

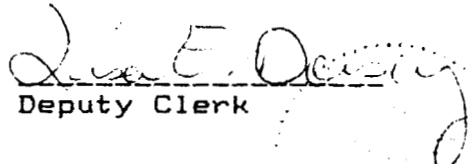
Commissioner Rdams, moved for approval of the petition. The motion **was seconded** by Commissioner Marcus, and upon being put to a **vote**, the vote was as follows: ,

Carol R. Roberts	--	.Rye
Kenneth M. Rdams	--	Rye
Karen T. Marcus	--	Rye
Carol J. Elmquist	--	Rye
Dorothy Wilken	--	Absent

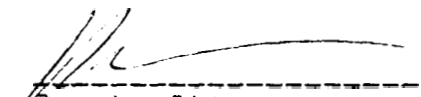
The foregoing resolution was **declared** duly passed and adopted this 11th day of August, 1987 confirming action of May 28, 1987.

PRLM **BERCH** COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney