

RESOLUTION NO. R-88- 1235

**RESOLUTION APPROVING ZONING PETITION NO. 87-73
SPECIAL EXCEPTION PETITION OF THE SCHOOL BOARD
OF PALM BEACH COUNTY**

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. 87-73 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on July 27, 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. This proposal is 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. 87-73 the petition of THE SCHOOL BOARD OF PALM BEACH COUNTY, for a SPECIAL EXCEPTION TO ALLOW AN EDUCATION&L INSTITUTION on Tracts 20 and 21, Loxahatchee Garden Farms, in Section 34, Township 40 South, Range 42 East recorded in Plat Book 2, Page 68, less the South 35.00 feet of Tract 21 conveyed to the State of Florida in Official Record Book 3939, Page 1378, located on the north side of Church Street, approximately .3 mile east of Limestone Creek Road, in a RTS-Residential Transitional Suburban Zoning District 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 number of trees.**
 - b. **Proposed student enrollment and employee count,**
 - c. **Parking and access drives relocated out of the required landscape strips.**
 - d. **Minimum parking space requirement pursuant to Zoning Code Section 500.17.K.5.**
 - e . **One (1) of three (3) alternative landscape strips around the three (3) non-frontage perimeter property lines where the site abuts the residential zoning district.**
 - f. **A 25 foot buffer, left in its natural vegetated state along the north, east and west property lines. The 25 foot buffer shall be planted with supplemental native vegetation meeting the minimum requirements of alternative number three (3) of the Landscape Code.**
2. **A vegetation removal permit application with required information shall be submitted to the Zoning Division simultaneously with the Site Plan Review Committee application.**
 3. **Existing native vegetation shall be preserved to the maximum extent possible throughout the site. Preservation areas shall be established between parking areas and property lines and roadways, and in the area between the recreation areas, the education buildings and property lines, especially those abutting residentially zoned land. The areas within the drop-off drive shall also be designated as preserve areas. Vegetation in these preservation areas shall remain undisturbed during construction pursuant to Zoning Code Section 500.36.D.3.b (2) (b) (Protection of Groups of Trees or Vegetation).**
 4. **All security and recreation lighting shall be directed away from residentially zoned land and Rights-of-Way. Lighting shall illuminate only the subject property.**
 5. **Since sewer service is available at the site, septic tank shall not be approved for use on said property.**
 6. **Since public water service is available to the property, a well shall not be approved for potable water use on said property.**
 7. **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 on site 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.

8. The property owner shall construct a left turn lane west approach on Church Street at the project's entrance when and if warranted by the County Engineer. This shall be concurrent with on-site paving and drainage improvements.

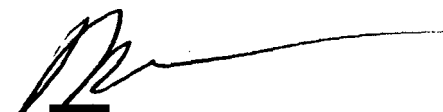
Commissioner Marcus, moved for approval of the petition. The motion was seconded by Commissioner Elmquist, and upon being put to a vote, the vote was as follows:

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

The foregoing resolution was declared duly passed and adopted this 9th day of August, 1988 confirming action of July 27, 1987

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY:


COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


DEPUTY CLERK

