

RESOLUTION NO. R-89- 618

RESOLUTION APPROVING ZONING PETITION NO. 87-150  
SPECIAL EXCEPTION PETITION OF FLORENCE FULLER

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. 87-150, was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on January 6, 1988; 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. 87-150, the petition of FLORENCE FULLER, by Dorothy M. Fleegler, Agent, for a SPECIAL EXCEPTION TO PERMIT A CHILD DAY CARE CENTER on a parcel of land lying in Tract 49 of Florida Fruit Lands Subdivision No. 2, as recorded in Plat Book 1, Page 102, less therefrom the East 577.67 feet said land lying in Section 1, Township 47 South, Range 41 East, located on the south side of Southwest 185th Street, approximately .1 mile west of State Road 7 (U.S. 441), in an AR-Agricultural Residential 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 minimum access dimensions of twenty-five (25) feet.
  - b. Required paving markings for parking stalls and vehicular circulation on site.
  - c. Adequate drop off area and stacking dimensions.
  - d. Required number of trees along the right-of-way.
  - e. One (1) of three (3) alternative perimeter landscape strips adjacent to existing residential lots.
  - f. Required minimum usable floor area.
  - g. Required six (6) foot fence surrounding the play area.
  - h. Elimination of the 15 foot road located east of the proposed structure.
  - i. Ultimate right-of-way for S. W. 185th Street.
  - j. Total student and staff population in the tabular data.
  - k. Ultimate building square footage for all phases.
    1. Student age breakdown and total play area required per each age group.
  - m. Size and location of all proposed buildings, parking, and play area, including future development to include all phases of development.
  - n. Development phase lines.
2. The centerline of the circular driveway shall be realigned perpendicular to the centerline of S. W. 185th Street.
  3. The developer shall relocate all proposed improvements a minimum of 50 feet to the west to stay clear of the full distance of the adjacent sites 150 foot antenna.
  4. Since sewer service is available to the property, septic tank shall not be approved for use on said property.
  5. Since water service is available to the property, a potable water well shall not be approved for use on said property.

6. In order to comply with the mandatory traffic performance standards this development shall be restricted to no more than 30 students.
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 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.
8. The property owner shall construct:
  - a) left turn lane, south approach on State Road 7 at 185th Street South;
  - b) paved access to the site including drainage (minimum 2-10 foot travel lanes local street standards)all concurrent with onsite paving and drainage improvements.
9. 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 \$78.00 per student.
10. In addition, the petitioner shall contribute the amount of fees as established in Article V, Section 3 (Insignificant Project Standard) of the Traffic Performance Code and the Fair Share Contribution For Road Improvements Ordinance, as it presently exists, or as it may from time to time be amended. The total funds shall be paid prior to the issuance of the first building permit.

Commissioner Wilken 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	--	Aye
Dorothy Wilken	--	Aye
Kenneth M. Adams	--	Absent

The foregoing resolution was declared duly passed and adopted this 4th day of April, 1989 confirming action of January 6, 1988.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

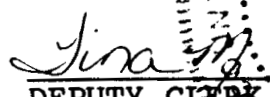
BY:

  
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

  
DEPUTY CLERK

