

RESOLUTION NO. R-89- 752

RESOLUTION APPROVING ZONING PETITION NO. 87-63
SPECIAL EXCEPTION PETITION OF DENNIS K AND L. K. HOERBER

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. 87-63 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on October 29, 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. 87-63, the petition of DENNIS K AND L. K. HOERBER, for a SPECIAL EXCEPTION TO PERMIT AN OFFICE/WAREHOUSE COMBINATION on a parcel of land lying on the North 150.00 feet of the South 755.00 feet of the West 1/2 of the East 1/2 of the Southeast 1/4 of the Southeast 1/4 of Section 24, Township 43 South, Range 42 East, LESS the East 195.00 feet thereof, located on the west side of Indian Road, approximately 500 feet north of Okeechobee Boulevard (S. R. 704), in a CG-General Commercial 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. Sidewalks twenty (20) feet long and three (3) feet

wide, which are perpendicular to the building and located in front of each office.

2. Petitioner shall provide landscaping along Indian road in the form of a continuous hedge of native shrubs 24 inches high, planted 24 inches on center, and native canopy trees 10 - 12 feet in height, planted a maximum of 25 feet on center. This landscaping shall comply with required safe corner distances at the access drive.
3. Security lighting shall be directed away from adjacent properties and streets, shining only on the site.
4. Total office space shall not exceed 1600 square feet.
5. 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.
6. 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 waster from the proposed site.
7. The property owner shall convey for the ultimate right-of-way of Indian Road, 40 feet from centerline (approximately an additional 10 feet) within 90 days of the approval of the Resolution approving this project or prior to issuance of the first Building Permit, whichever shall first occur.
8. The developer 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 \$1,152.00 (43 trips X \$26.79 per trip).
9. The application and engineering plans, calculations, etc. to construct well and/or septic tank must be submitted to the Health Department prior to site plan approval (or prior to issuance of Building Permit for

straight rezoning).

10. Since water service is available to the property, a potable water well shall not be approved for use on said property.
11. No retail land uses shall be permitted on the site.
12. No off-premise signs shall be permitted on the site.

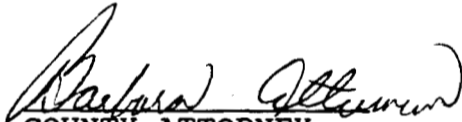
Commissioner Elmquist moved for approval of the petition. The motion was seconded by Commissioner Marcus and upon being put to a vote, the vote was as follows:

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

The foregoing resolution was declared duly passed and adopted this 25th day of April, 1989 confirming action of October 29, 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