

RESOLUTION NO. R-89- 903

RESOLUTION APPROVING ZONING PETITION NO. 86-77(A)
SPECIAL EXCEPTION PETITION OF SARRIA AND CABRERA ENTERPRISES, INC.

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. 86-77(A), was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on June 23, 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. 86-77(A), the petition of SARRIA AND CABRERA ENTERPRISES, INC., by Robert Bentz, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A DAY CARE CENTER (CHILD) TO INCREASE BUILDING SQUARE FOOTAGE on a parcel of land lying in Lots 7 and 8 less the South 125 feet of Lot 8, Plat of Haverhill Acres, on Section 26, Township 43 South, Range 42 East, as recorded in Plat Book 20, Page 75, located on the west side of Haverhill Road, approximately .3 mile north of Belvedere Road, in a RH-Multiple Family Residential Zoning District (High Density), was approved as advertised, subject to the following conditions:

1. The developer shall comply with all previous conditions of approval, unless expressly modified herein.
2. Prior to certification the site plan shall be amended to provide a convenient drop-off area adjacent to the

structure to provide adequate vehicular circulation on site and a safe access to the center.

3. The petitioner shall install additional landscape buffering along the western and southern property line. This buffer shall consist of ten (10) foot to twelve (12) foot high native canopy trees planted twenty (20) feet on center.
4. Preserve the slash pines and cabbage palms, incorporating them into the proposed perimeter buffers and open spaces.
5. The day care center shall be restricted to a maximum of 320 students.
6. The property owner shall construct a left turn lane south approach on Haverhill Road at the project's entrance road. This construction shall include curb and gutter on Haverhill Road and adjustments to any drainage structures plus the appropriate tapers all concurrent with onsite paving and drainage improvements. Construction shall be completed prior to the issuance of a Certificate of Occupancy.
7. 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 the proposed 120 student expansion presently is \$10,528.00 (393 trips X \$26.79 per trip).
8. Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site.
9. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water.
10. Failure to comply with the conditions herein may result in the denial or revocation of a building permit; the issuance of a stop work order; the denial of a Certificate of Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer-owner, commercial-owner, lessee, or user of the subject property. Appeals from such action may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Palm Beach County Zoning Code.

Commissioner Wilken 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	--	Aye
Jim Watt	--	Absent

The foregoing resolution was declared duly passed and adopted this 23rd day of May, 1989 confirming action of June 23, 1988.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

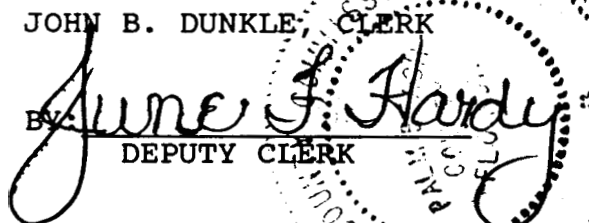
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY :


COUNTY ATTORNEY

BY :


DEPUTY CLERK

