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RESOLUTION NO. R- 89-959

RESOLUTION APPROVING ZONING PETITION NO. 88-43  
SPECIAL EXCEPTION PETITION OF DOVER FINANCIAL SERVICES, 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. 88-43 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on May 27, 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. 88-43, the petition of DOVER FINANCIAL SERVICES, INC., by Kieran J. Kilday, Agent, for a SPECIAL EXCEPTION TO PERMIT RECREATION FACILITIES AND CLUBS (DISABLED AMERICAN VETERANS CLUB), on Lot 19, Block 2, Laguna Park No. 1 in Section 8, Township 44 South, Range 43 East, as recorded in Plat Book 21, Page 53; being located on the north side of Melaleuca Drive, approximately 250 feet east of Congress Avenue (SR 807), in a RS-Single Family Residential Zoning District, was approved as advertised, subject to the following conditions:

1. Prior to certification, the site plan shall be amended to indicate the following:
  - a. Elimination of the 964 square foot building.
  - b. A minimum of forty-five (45) parking spaces.
  - c. Required terminal islands.
  - d. Required trees in terminal islands.

- e. Required paved parking areas.
  - f. Required backup distance for all parking stalls.
  - g. Required dimensions for all parking stalls.
2. The petitioner shall clearly label all entrances as "one-way only" and provide adequate pavement markings and signage on site.
  3. Maximum occupancy of the facility shall be limited to seventy-five (75) persons.
  4. **No** outdoor loudspeaker system shall be permitted on site.
  5. Vehicle parking shall be limited to the parking spaces designated on the approved site plan. **No** parking of vehicles is to be allowed in landscaped areas, rights-of-way, or interior drives.
  6. The developer shall provide discharge control and treatment for 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 the stormwater runoff generated by a three (3) year-one (1) hour storm with a total rainfall of 3 inches 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.
  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 this project presently is **\$348.00** (13 trips X \$26.79 per trip).
  8. 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).
  9. 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. Violations of the conditions herein shall constitute violations of the Palm Beach County Zoning Code.

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

Carol A. Roberts	--	Aye
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Aye
James Watt	--	Absent

The foregoing resolution was declared duly passed and adopted this 23rd day of May, 1989 confirming action of May 27, 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

