

RESOLUTION NO. R-89-1064

RESOLUTION APPROVING ZONING PETITION NO. 88-115  
SPECIAL EXCEPTION PETITION OF MAS VERDE MOBILE HOME ESTATE, 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. 88-115 was presented to the Board of county Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on October 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. 88-115 the petition of MAS VERDE MOBILE HOME ESTATE, INC., for a SPECIAL EXCEPTION TO PERMIT A MOBILE HOME RENTAL PARK on a parcel of land lying on the East 1/2 of the Northeast 1/4 of the Northwest 1/4 of Section 26, Township 44 South, Range 42 East.

Together with:

The East 1/2 of the West 1/2 of the Northeast 1/4 of the Northwest 1/4 and the East 3/4 of the North 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 26, Township 44 South, Range 42 East.

Together with:

The South 70 feet of the North 90 feet of the East 3/4 of the Northeast 1/4 of the Northwest 1/4 of Section 26, Township 44 South, Range 42 East, less the Right-of-way of State Road 802 as now laid out and in use, being located on the south side of Lake Worth Road (SR 802), approximately 1.0 mile east of Jog Road, in a RS-Single Family 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. Indicate a typical lot showing all setbacks, separations and parking areas;
  - b. Hedge planting of twenty-four (24) inches high and twenty-four (24) inches on center in the landscape strip separating vehicular use areas from abutting right-of-way;
2. The development shall be limited to 298 mobile home rental units.
3. All proposed units must meet current property development regulation for a Mobile Home Recreational Park.
4. Prior to Site Plan Review Committee submittal, the petitioner shall:
  - a. Provide an inventory on the proposed lots of existing trees and significant vegetation.
5. Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site.
6. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water.
7. 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.
8. 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 \$1,607.00 (60 trips X \$26.79 per trip).
9. In addition the petitioner shall contribute the amount of \$322.00 as established in Article V Section 3 (Insignificant Project Standard) of the Traffic

Performance Standards Code. These total funds of \$322.00 shall be paid prior to the issuance of the first Building Permit.

10. If the "Fair Share Contribution for Road Improvements Ordinance" is amended to increase the Fair Share Fee, this additional amount of \$322.00 shall be credited toward the increased Fair Share Fee.
11. Failure to comply with any conditions of approval 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 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	--	Aye
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Absent
James Watt	--	Absent

The foregoing resolution was declared duly passed and adopted this 6th day of June, 1989 confirming action of October 27, 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

