

RESOLUTION NO. R-89- 1075

RESOLUTION APPROVING ZONING PETITION NO. 84-32(B)
SPECIAL EXCEPTION PETITION OF ALAN D. REESE

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. 84-32(B) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on November 28, 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. 84-32(B) the petition of ALAN D. REESE, by Robert A. Bentz, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A PLANNED COMMERCIAL DEVELOPMENT PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 84-32 TO: 1] INCREASE BUILDING SQUARE FOOTAGE; AND 2] REDESIGN THE SITE on a parcel of land lying on the South 120.00 feet of the North 880.00 feet of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 7, Township 44 South, Range 43 East, less the East 60.00 feet for road **Right-of-Way**. Also known as Lot 7, Palm Acres No. 1, unrecorded. (legal and location) in a CG-General Commercial 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. *Two* (2) required loading berths adjacent to the building. The berths shall be located so that they do not interfere with normal traffic flow on site.

- b. Perimeter Alternative Landscape Strip No. 2 along the west and north portion of the north property line, where the project abuts incompatible zoning districts. These landscape strips shall be upgraded with the installation of ten (10) foot high canopy trees planted twenty-five (25) feet on center.
 - c. Label and dimension the required fifteen (15) foot landscape strip along Congress Avenue (S.R. 807).
 - d. Relocation of the septic field out of the required landscape strips.
 - e. The required number and dimension of handicap parking spaces.
2. No off-premise signs shall be permitted on-site.
 3. The project shall be limited to 18,550 square feet of professional office spaces. A maximum 3,500 square feet of retail sales shall be permitted on site.
 4. All outdoor lighting used to illuminate the premises shall be low intensity and directed away from adjacent properties and streets, shining only on the subject site.
 5. 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).
 6. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water.
 7. The petitioner 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.
 8. Prior to Site Plan Review submittal, the property owner shall revise the Site Plan to reflect a 35 foot minimum width for the driveway.
 9. Prior to Site Plan certification by the Site Plan Review Committee the property ~~owner~~ shall record a Unity of Control on the subject property ~~subject~~ to approval by the County Attorney.
 10. 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 Howard moved for approval of the petition. The motion was seconded by Commissioner Roberts and, upon being put to a vote, the vote was as follows:

Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Absent
Carol Roberts	--	Aye
Ron Howard	--	Aye
Carole Phillips	--	Aye

The foregoing resolution was declared duly passed and adopted this 6th day of June, 1989 confirming action of November 28, 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:

