

RESOLUTION NO. R-89- 1234

RESOLUTION APPROVING ZONING PETITION NO. 88-99
SPECIAL EXCEPTION PETITION OF H.A.S. LAND DEVELOPMENT, 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. 88-99 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on January 27, 1989; 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. 88-99 the petition of H.A.S. LAND DEVELOPMENT, INC., by Kieran J. Kilday, Agent, for a SPECIAL EXCEPTION TO AMEND AND EXPAND THE SITE PLAN FOR A PLANNED OFFICE BUSINESS PARK TO 1} REDESIGN THE SITE, 2} INCREASE BUILDING SQUARE FOOTAGE, 3} INCREASE ACREAGE on a parcel of land lying on the north 192.90 feet of the following described lands: Tracts 13 and 14, Block 78, The Palm Beach Farms Company, Plat No. 3, recorded in Plat Book 2, Pages 45 through 54 in Section 19, Township 47 South, Range 42 East.

Together with:

A strip of land 50.00 feet wide, bounded on the East by the Northerly extension of the east line of said Tract 13; on the West by the northerly extension of the West line of said tract 14; on the South by the North line of said tracts 13 and 14; and on the North by a line 50.00 feet north of and parallel with the North line of said Tracts 13 and 14., being located on the east side of US 441 (SR 7), approximately .2 mile north of 212th

Street in a CS-Specialized 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. Landscape island separating **all** loading spaces from parking spaces;
 - b. Minimum three (3) trees per each landscape median;
 - c. Landscape alternative one (1) along the south and east property line;
 - d. Identification and labeling of the half-moon shaped area northeast **of** the northeast corner of the eastern building complex;
 - e. Identification and labeling of the areas within the center of both building complexes: and
 - f. Drop-off area for each building complex.
2. In the event that maintenance, repairs or expansion of the canal easement are required, the owner(s) of the development shall reconstruct the parking and landscaping satisfying minimum property development regulations of Section 500.17 (Off Street Parking Regulations) and Section 500.35 (The Landscape Code) of the Zoning Code within thirty (30) days of completion of the canal work. Prior to site plan certification, the petitioner shall submit a written agreement approved by the Lake Worth Drainage District permitting minimum landscaping and required planting within the Lake Worth Drainage District easement, subject to approval by the County Attorney.
3. Outdoor lighting used to illuminate the premises shall be low intensity, shielded and directed away from adjacent properties and streets, shining only on the subject site.
4. Concurrent with the site plan submitted **for** Site Plan Review Committee, the petitioner shall submit written approval from Lake Worth Drainage District to plant landscape materials and park vehicles within their canal reservation or redesign the site to remove the landscaping and parking from the reservation.
5. Prior to certification by the Site Plan Review Committee the property owner(s) shall record a Unity of Control on the subject property subject to approval by the County Attorney.
6. Vehicle parking shall be limited to the parking stalls designated on the approved site plan. **No** parking of vehicles shall be allowed in landscaped areas, rights-of-way or interior drives.

7. No off premise signs shall be permitted on the site.
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. Use of the property is limited to medical office use only.
11. The petitioner shall comply with all previous conditions of Petition No. 87-65 unless expressly modified herein.
12. Condition No. 11 of Zoning Petition No. 87-65 which presently states:

"11. In order to comply with the mandatory traffic performance standards, the property owner shall be restricted to the following phasing schedule.:

- a. No building permits shall be issued to the property owner until State Road 7 has been constructed as a 4-lane section from Glades Road to the Broward County line, plus appropriate paved tapers."

Is hereby amended to read as follows:

"In order to comply with the mandatory traffic performance standards, the property owner shall be restricted to the following phasing schedule:

- a. No building permits shall be issued to the property owner until construction has begun on State Road 7 as a 4-lane section from Glades Road to the Broward County line, plus appropriate paved tapers."

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

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

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

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY:


COUNTY ATTORNEY

JOHN B. DUNKLE, CLERK

BY:


DEPUTY CLERK

