

RESOLUTION NO. R-87-1114-A

RESOLUTION APPROVING ZONING PETITION 86-142: Special Exception

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. 86-142 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on March 27, 1987 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, the Board of County Commissioners made the following findings of fact:

1. With required master plan modifications, this proposal will be 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, assembled in regular session that Petition No. 86-142, the petition of A.A.S., INC. AND ANTHONY KETTANEH by Beril Kruger, Agent, for a SPECIAL EXCEPTION TO ALLOW A PLANNED RESIDENTIAL DEVELOPMENT on the East 1/2 of the Northwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 1, Township 46 South, Range 42 East, and the West 1/2 of the Northeast 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 1, Township 46 South, Range 42 East. The property is located on

the south side of Coconut Lane, approximately .1 miles east of Military Trail (SR 809) and was approved as advertised subject to the following conditions:

1. Prior to master plan certification by the Subdivision Review Committee, the master plan shall be amended to indicate the following:
  - a) the required recreational acreage or equivalent recreational facilities.
  - b) required number of trees.
2. The developer shall retain 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 first one (1) inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 73-4, as amended. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer.
3. The property owner shall convey for the ultimate right-of-way of Coconut Lane (Flavor Pict Road), 40 feet from centerline within 90 days of the approval of the Resolution approving this project.
4. The property owner shall provide to Palm Beach County a road drainage easement within the project's internal lake system which is adjacent to the property capable of accommodating all runoff from those segments of Flavor Pict Road along the property frontage and for a maximum 400 ft. distance each side of the property boundary lines along Flavor Pict Road. The drainage system within the project shall have sufficient retention/detention capacity to meet the storm water discharge requirements of the applicable County Control District and South Florida Water Management District. The design of the system shall assume the ultimate Thoroughfare Plan Section road drainage runoff.
5. 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 \$16,723.00 (208 trips X \$80.40 per trip).
6. Based on the Traffic Performance Standards (Category "B"), the developer shall contribute an additional \$4,181.00 toward Palm Beach County's existing Roadway Improvement Program. These total funds of \$20,904.00 are to be paid prior to the issuance of the first building permit or prior to April 1, 1988 whichever shall first occur.

If the "Fair Share Contribution for Road Improvements Ordinance" is amended to increase the Fair Share Fee, this additional amount of \$4,181.00 shall be credited toward the increased Fair Share Fee.
7. Since water service is available to the property, a well for potable water shall be not be approved for use on the property.

8. Complete septic tank application for subdivision analysis shall be filed with the Health Department prior to Subdivision Committee review process.

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

Carol A. Roberts	-- Absent--
Karen T. Marcus	-- Aye
Dorothy Wilken	-- Aye
Kenneth M. Adams	-- Absent
Carol J. Elmquist	-- Aye

The foregoing resolution was declared duly passed and adopted this 28th day of July, 1987 confirming action of March 27, 1987.

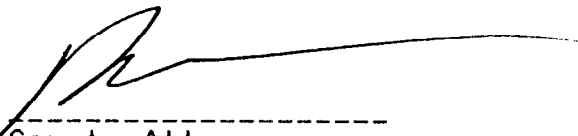
PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

*Kathryn S. Miller*  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
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County Attorney