

RESOLUTION NO. R-88-1190

RESOLUTION APPROVING ZONING PETITION NO. 87-20
SPECIAL EXCEPTION PETITION OF RIDGEWOOD GROVES OF PALM BEACH, 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. 87-20 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on July 23, 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, 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. 87-20, the petition of RIDGEWOOD GROVES OF PALM BEACH, INC., by Kieran J. Kilday, Agent, for a SPECIAL EXCEPTION TO ALLOW COMMERCIAL SALES AND SERVICE ENTERPRISES (OF AN AGRICULTURAL NATURE) on a parcel of land lying on PARCEL 1: The North 215 feet of the Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4 in Section 1, Township 45, South Range 42 East, less the East 40 feet road right-of-way and the North 195 feet of the West 135 feet of the East 175 feet. Together with PARCEL 2: The North 195 feet of the West 135 feet of the East 175 feet of the Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4, located on the southwest corner of Lawrence Road (40th Avenue South) and First Court (61st Street South) in an AR-Agricultural Residential Zoning District, was approved as advertised, subject to the following conditions:

1. Principal use of the site shall be limited to a citrus packing and grading plant. A limited amount of accessory retail sales shall be permitted provided that the sales are limited to citrus and vegetable products of the petitioner's groves and that the sales area be limited to a maximum of 1,350 square feet, including all necessary storage for the retail products.
2. The developer shall retain the stormwater runoff in accordance with all applicable agency requirements in effect minimum, this development shall retain onsite three (3) inches of the stormwater runoff generated by a three (3) year-one (1) hour storm 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.
3. The property owner shall convey for the ultimate right-of-way of Lawrence Road, forty (40) feet from centerline within ninety (90) days of final adoption of the Resolution approving this project.
4. 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 \$2,384.00 (89 trips X \$26.79 per trip).
5. The petitioner shall convey to the Lake Worth Drainage District the North forty (40) feet of the northeast 1/4 of the northeast 1/4 of the northeast 1/4 of Section 1/45/42 for the required eight-of-way for Lateral Canal No. 16 by Quit Claim Deed or an Easement Deed in the form provided by said District within ninety (90) days of adoption of the Resolution by the Board of County Commissioners.
6. No building permit shall be issued for the subject property until such a time that the site is connected to a public sewer system.
7. Since sewer and water is available to the property, neither septic tank nor well shall be approved for use on the property.


Commissioner Elmquist, moved for approval of the petition. The motion was seconded by Commissioner Adams, 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
Kenneth M. Adams	--	Aye

The foregoing resolution was declared duly passed and adopted this 9th day of August, 1988 confirming action of July 23, 1987.

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

