

RESOLUTION NO. R-88-1622

RESOLUTION APPROVING ZONING PETITION NO. 87-80  
SPECIAL EXCEPTION PETITION OF ALFREDO AND BARBARA VALDES

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. 87-80 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on September 30, 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. 87-80, the petition of ALFREDO AND BARBARA VALDES, for a SPECIAL EXCEPTION TO ALLOW A CHILD DAY CARE CENTER on a parcel of land lying on the North 80 feet of the South 330 feet of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 2, Township 44 South, Range 42 East, less the West 115 feet thereof and less the East 40 feet for Road Right-of-Way, located on the west side of Haverhill Road approximately 175 feet south of Palm Beach Canal Road, in an RM-Multiple Family Residential Zoning District (Medium Density), 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. Convenient drop-off area.
  - b. Solid wooden fence around the play area.
  - c. Maximum number of children in the site data.
2. Security lighting shall be low intensity and directed away from adjacent properties and streets, shining only on the site.
  3. 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 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. The developer shall design the drainage system such that storm water runoff from the parking areas and paved surface shall be separate from those areas which may contain hazardous or undesirable waste from the proposed site.
  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 \$5,090.00 (190 trips X \$26.79 per trip).
  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.
  6. Since water service is available to the property, a well shall not be approved for potable water use on said property.
  7. Occupancy shall be limited to a maximum of fifty (50) children and four (4) employees.

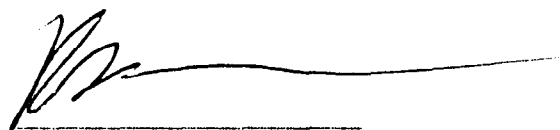
Commissioner Elmquist moved for approval of the petition. The motion was seconded by Commissioner Marcus and upon being put to a vote, the vote was as follows:

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

The foregoing resolution was declared duly passed and adopted this 4th day of October, 1988 confirming action of September 30, 1987.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

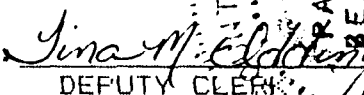
BY:

  
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COUNTY ATTORNEY

FALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

  
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DEPUTY CLERK

