

RESOLUTION NO. R- 84-782

RESOLUTION APPROVING ZONING PETITION 84-6, 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. 84-6 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 26th January 1984; 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. The proposed development is consistent with the requirements of the Comprehensive Plan.
2. With revision to the proposed site plan, the proposed development could be accommodated to the subject site in conformity with applicable property development regulations and in a manner compatible with nearby properties.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 26th day January 1984, that Petition No. 84-6 the petition of WILLIAM L. WALLACE AND KATHLEEN S. WALLACE, for a SPECIAL EXCEPTION TO ALLOW A COMMERCIAL NEW AND USED AUTOMOBILE, TRUCK, RECREATIONAL VEHICLE, CAMPER, VAN, MOTORCYCLE SALES, LEASING, RENTAL AND REPAIR FACILITY AND LOT INCLUDING A BODY SHOP on a parcel of land lying in the Southwest 1/4 of Section 20, Township 46 South, Range 43 East, said parcel being more particularly described as follows:

That portion of the West 1/2 of the East 1/2 and the East 1/2 of the West

1/2 of Lot 24, Subdivision of said Section 20, Township 46 South, Range 43 East, as shown in Plat Book 1, Page 4, Sheet 1, lying West on the Westerly Right-of-Way line of Germantown Road, and less the Right-of-Way for Southwest Twelfth Street, as shown in Road Plat Book 4, Page 25 and less the right-of-way and limited access right-of-way for Interstate Highway No. 95, as shown on Sheets 18 and 18-A of Section 93220-2411 of the Right-of-Way maps of said Interstate Highway No. 95. Together with Lot 53 of the said Plat of Sands O' Sea, as recorded in Plat Book 21, on Page 27. Said property located on the northwest corner of the intersection of Germantown Road and S.W. 12th Street (Linton Boulevard), being bounded on the west by I-95 was approved as advertised subject to the following conditions:

1. This development shall retain onsite 85% of the stormwater runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.
2. The property owner shall convey to Palm Beach County for the ultimate right of way of Germantown Road, 40 feet from centerline approximately an additional 10 feet within 90 days of approval; conveyance must be accepted by Palm Beach County prior to issuance of first Building Permit.
3. The developer shall construct concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the Office of the County Engineer:
 - a) Left turn lane, south approach on Germantown Road at the project's south entrance road.
 - b) Right turn lane, north approach on Germantown Road at its intersection with Linton Boulevard.
 - c) Extend the existing left turn lane, west approach on Linton Boulevard at its intersection with Germantown Road per the County Engineers' approval.
4. The developer shall contribute Twenty Seven Thousand Dollars (\$27,000.00) toward the cost of meeting this project's direct and identifiable impact, to be paid at the time of the building permit.
5. Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.
6. Reasonable measures shall be employed during site development, to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
7. Any underground fuel tanks shall be installed according to plans to be approved by the Health Department (Environmental Engineering Division) prior to the issuance of building permits.
8. Prior to certification, the site plan shall be amended to reflect the following:

- a) canopy trees planted in landscaped areas in an amount equivalent to the number stripped from this site in anticipation of this approval.
- b) a three foot high hedge supplemented by canopy trees planted at twenty feet on center in the perimeter landscape strip along Germantown Road north of Princess Blvd. and along Mildred Street east of Gwenzell Avenue. The remaining perimeter areas shall contain the standard landscaping requirement.
- c) single loaded parking bays unless variance relief is granted by the Board of Adjustment.

9. No billboards shall be permitted on this property.

Commissioner **Wilken** , moved for approval of the petition.

The motion was seconded by Commissioner **Koehler** ,

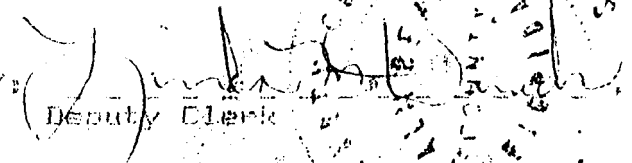
and upon being put to a vote, the vote was as follows:

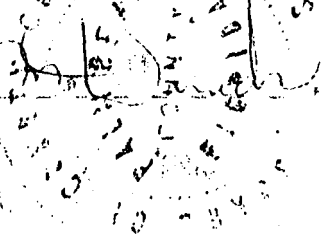
Ken Spillias, Chairman	-- AYE
Dorothy H. Wilken, Vice Chairman	--- AYE
Peggy B. Fvatt	--- ABSENT
Dennis P. Koehler	--- AYE
Bill Bailey	--- ABSENT

The foregoing resolution was declared duly passed and adopted this 12th day of June , 1984 , confirming action of 26th January 1984.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: 
(Deputy Clerk)



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney