

RESOLUTION NO. R-84-1314

RESOLUTION APPROVING ZONING PETITION 84-94, 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. 84-94 **was** presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 29th of June 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 proposal is consistent with the requirements of the Comprehensive Plan.
2. The proposal will, with some modifications, meet the requirements of the Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 29th of June 1984, the petition of STANDARD OIL COMPANY, A DIVISION OF CHEVRON OIL COMPANY, A CALIFORNIA CORPORATION By Dale C. Anderson, Agent, for a SPECIAL EXCEPTION TO ALLOW AN AUTO SERVICE STATION INCLUDING GASOLINE PUMP ISLAND FACILITIES on the North 198 feet of the East 280 feet of a portion of "not included" parcel between Meridian Road and Citation Drive as shown on Plat No. 2 of Plantation Mobile Homes Estates, in Section 26, Township 43 South, Range 42 East, as recorded in Plat Book 28, Page 43 being more particularly described as follows:

Commencing at the Northwest corner of Section 26; thence run North 89 degrees 49'45" East along the North line of said Section 26

for a distance of 674.49 feet to a point of intersection with the centerline of said Meridian Road as shown on aforementioned plat; thence continue North 89 degrees 49'45" East along said North line of Section 26, for a distance of 230.00 feet to a point; thence run South 00 degrees 01'40" East for a distance of 39.00 feet to a point of intersection with the Southerly right-of-way line of Okeechobee Road (now renamed Boulevard), said point also being the Point of Beginning of parcel of land hereinafter to be described; thence continue South 00 degrees 01'40" East for a distance of 198.00 feet to a point; thence run South 89 degrees 49'45" West for a distance of 200.00 feet to a point of intersection with the Easterly right-of-way line of said Meridian Road; thence run North 00 degrees 01'40" West along said Easterly right-of-way line, for a distance of 173.06 feet to a point of curvature of a circular curve concave to the Southeast and having for its elements a radius of 25 feet and a central angle of 89 degrees 51'25"; thence run Northeasterly along the arc of said circular curve for an arc distance of 39.21 feet to a point of tangency on said Southerly right-of-way line of Okeechobee Road; thence run North 89 degrees 49'45" East along said Southerly right-of-way line for a distance of 175.06 feet to the Point of Beginning. Said property located on the southeast corner of the intersection of Meridian Road and Okeechobee Boulevard, in a CG-General Commercial District, was approved as advertised subject to the following conditions:

1. Prior to certification of the site plan by Site Plan Review Committee, the site plan shall be amended to reflect:
 - a. the required parking and landscaping placed outside of the right-of-way.
 - b. a six-foot high solid masonry wall along the southern property line of the site.
2. The 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.
3. The property owner shall convey for the ultimate right-of-way of:
 - a. Okeechobee Boulevard, 70 feet from centerline and;
 - b. Meridian Road, 40 feet from centerline.

All conveyances shall be made within **90 days** of approval and must be accepted by Palm Beach County prior to issuance of the first Building Permit.

4. 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 Meridian Road at Okeechobee Boulevard,

5. The developer shall be permitted only one turnout onto Meridian Road, per the County Engineer's approval.

6. The Developer 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 by amended, Presently The Fair Share Fee for this project is \$3325.00.

If the Fair Share Contribution for Road Improvements Ordinance is amended to increase the Fair Share Fee this amount shall be credited toward the increased Fair Share Fee.

7. 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.

8. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or **nearby** surface waters.

9. The underground fuel storage tanks shall be installed to provide maximum protection against leakage or spillage due to corrosion, breakage, structural failure, or other means. Acceptable designs for tank construction include cathodically protected steel, glass fiber reinforced plastic, steel clad with equivalent design. The design and installation plans will be submitted to the Health Department for approval prior to installation.

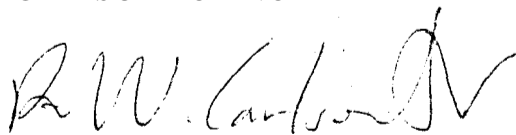
10. There shall be no outdoor storage or display of materials or supplies.

Commissioner **Bailey**, 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	--	ABSENT
Dorothy Wilkens, Vice Chairman	--	AYE
Peggy Evatt, Member	--	AYE
Dennis P. Koehler, Member	--	AYE
Bill Bailey, Member	--	BYE

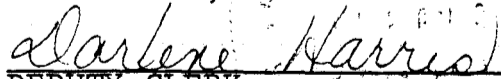
The foregoing resolution **was** declared duly passed and adopted this day of September 11, 1984 confirming action of the 29th of June 1984.

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**


COUNTY ATTORNEY

**PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS.**

JOHN B. DUNKLE, CLERK

BY: 
DEPUTY CLERK