

RESOLUTION NO. R-85-252

RESOLUTION APPROVING ZONING PETITION 84-106 (A), 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. 84-106 (A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 27th of September 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 and Zoning Code.
2. With modifications to the submitted site plans the proposal can be made consistent with the requirements of the Zoning Code.
3. The proposal will require variance relief from the Board of Adjustment with respect to the fifty-foot front setback requirement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 27th of September 1984, that Petition No. 84-106 (A) the petition of WHITTINGTON BROTHERS INC., By David Flinchum, Agent, for a SPECIAL EXCEPTION TO ALLOW A RECREATION VEHICLE SALE, RENTAL AND REPAIR FACILITY AND LOT on all of Lots 1, 2 and 34, according to the plat of Breezy Acres, in Section 26, Township 43 South, Range 42 East as recorded in Plat Book 24 at Page 48. Said property located on the southwest corner of the intersection of Okeechobee Road and Breezy Lane was approved as advertised subject to the following

conditions :

1. Prior to certification by the Site Plan Review Committee, the site plan shall be revised to reflect:

- a) Paving of all parking, sale and display areas or variance relief shall be obtained from the Board of Adjustment for unpaved parking areas.
- b) Location of hedge material in landscape strips as required by Ordinance 73-1 (Landscape Code).
- c) The absence of any fencing material in excess of 30 inches in height from the cross - visibility area (section 500.15 of the zoning code), on the northeast corner of the site.

2. The petitioner shall obtain a variance from the Board of Adjustment with respect to the fifty-foot front setback requirement, prior to certification by the Site Plan Review Committee.

3. 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.

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

5. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year one hour storm per requirements of the Permit Section, Land Development Division.

6. All repair activity shall be conducted within enclosed structures.

7. The petitioner shall remove existing pavement from the project's north property line to the existing pavement of Okeechobee Boulevard, except for the project's entrance onto Okeechobee, and replace the removed pavement with sod .

8. Any fuel or chemical storage tanks shall be installed, protected against leakage or spillage due to corrosion, breakage, structural failure or other means. The design and installation plans will be submitted to the Health Department for approval prior to installation.

9. Any toxic or hazardous waste generated at this site shall be properly handled and disposed of in accordance with Chapter 17-30, F.A.C..

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

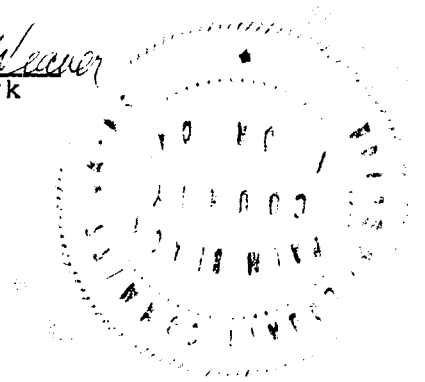
Ken Spillias, Chairman	--	AYE
Dorothy Wiikens, Vice Chairman	--	AYE
Peggy Evatt, Member	--	AYE
Dennis P. Koehler, Member	--	AYE
Bill Bailey, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this day of FEB 19 1985 confirming action of the 27th of September 1984.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Patricia S. Weaver
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Sandy Sprague
County Attorney