

RESOLUTION NO. R-85-263

RESOLUTION APPROVING ZONING PETITION 84-144, 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. 84-144 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.

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. 84-144 the petition of EAST COAST INDUSTRIAL PARK, INC., By Boyce Crowe, Jr., President, Agent, for a SPECIAL EXCEPTION TO ALLOW A HELIPORT on the West 309.34 feet of the East 921.22 feet of Tract 6, Block 8, Palm Beach Farms Company No. 3, in Section 31, Township 43 South, Range 42 East, as recorded in Plat Book 2, Pages 45 through 54, inclusive, Excepting the South 25 feet thereof for Fairgrounds Road Right-of-way purposes and the North 60 feet thereof for drainage Right-of-way purposes. Said property located on the north side of Fairgrounds Road North approximately .5 mile east of S.R. 7 (U.S.441) in an IG-General Industrial District was approved as advertised subject to the following conditions:

1. The developer shall relocate and/or preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measures shall also be taken to protect any individual trees and/or preservation areas during site clearing and construction. Prior to site plan certification a tree survey will be required.
2. Based upon the determinations of the Department of Transportation, Federal Aviation Division, the following conditions are imposed with this approval:
  - a. All operations shall **be** conducted in VFR weather conditions.
  - b. The landing area shall be limited to private use.
  - c. Operations shall be limited to altitudes at or below 500 feet AMSL.
  - d. Takeoffs and landings shall be limited to a clockwise arc from approximately 270 degrees to 090 degrees magnetic to avoid overflight of an adjacent prison to the south.
  - e. The petitioner shall coordinate with the Manager, Palm Beach International Air Traffic Control Tower, prior to the heliport becoming operational.
3. 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.
4. The property owner shall convey for the ultimate right of way of Fairgrounds Road, 40 feet from centerline within 90 days of adoption of the Resolution by the Board of County Commissioners; conveyance must be accepted by Palm Beach County prior to issuance of first Building Permit.
5. 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, Fairgrounds Road from the existing paved terminus west of Rubin Road, west to the project's west property line.
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 be amended. Presently the Fair Share Fee for this project is \$813.00.
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. 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.
10. The owner of the facility will participate in an oil recycling program which insures proper reuse or disposal of waste oil.
11. 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 Evatt , and upon being put to a vote, the vote was as follows:

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

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 L. Weaver  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

Franklyn Spagnoli  
County Attorney

