

RESOLUTION NO. R-85-704

RESOLUTION APPROVING ZONING PETITION 76-121(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. 76-121 (A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 24th January 1985; 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. This 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 24th of January 1985, that Petition No. 76-121(A) the petition of HOME SAVINGS OF AMERICA By Lloyd Snow, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A LARGE SCALE COMMUNITY SHOPPING CENTER PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 76-121 TO ALLOW AN INCREASE OF MORE THAN 5% TOTAL FLOOR AREA, INCLUDING A FINANCIAL INSTITUTION IN EXCESS OF 10,000 SQUARE FEET OF TOTAL FLOOR AREA on a tract of land lying in the Northeast 1/4 of Section 27, Township 43 South, Range 42 East, being more particularly described as follows:

Commencing at the Northeast corner of said Section 27; thence Westerly along the North line of said Section 27; also being the centerline of Okeechobee Boulevard, 40.0 feet to the intersection with the Northerly extension of the West right-of-way line of Drexel

Road, as presently laid out and in use; thence Southerly along the said extension line 75.0 feet to the intersection with the South right-of-way line of Okeechobee Boulevard, as presently laid out and in use, and being the Point of Beginning of the hereinafter described property; thence continue Southerly along the said West right-of-way line of Drexel Road 891.2 feet; thence Westerly along a line parallel with the said South right-of-way line of Okeechobee Boulevard 600.0 feet; thence Northerly along a line parallel with the said West right-of-way line of Drexel Road 831.2 feet; thence Easterly, along a line parallel with the South right-of-way line of Okeechobee Boulevard, 200.0 feet; thence Northerly, along a line parallel with the said **West right-of-way of Drexel Road, 60.0 feet** to the South right-of-way line of Okeechobee Boulevard, thence Easterly, along said South right-of-way line of Okeechobee Boulevard 400.0 feet to the Point of Beginning. Said property located on the southwest corner of the intersection of Okeechobee Boulevard (S.R. 704) and Drexel Road in an CG-General Commercial District was approved as advertised subject to the following conditions:

1. Prior to site plan certification, the site plans shall be amended to reflect stacking and by-pass lanes.
2. All mechanical and air conditioning equipment shall be roof mounted and screened with parapets.
3. Security lighting shall be directed away from nearby residences.
4. 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.
5. The property owner shall convey for the ultimate right-of-way of the "safe corner" at the intersection of Drexel Road and Okeechobee Boulevard 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.
6. The developer shall comply with all previously imposed conditions of Petition #76-121(A).
7. No direct access onto either Okeechobee Boulevard or Drexel Road will be permitted from this site.
8. A minimum of 6,450 square feet of this proposed structure shall remain as office use.
9. 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 \$32,088.00.
10. Any fuel or chemical storage tanks shall be installed with

protection 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.

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.

12. 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.

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

14. The owner of the facility will participate in an oil recycling program which insures proper reuse or disposal of waste oil.

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

Ken Spillias, Chairman	--	AYE
Dorothy Wilkens, Vice Chairman	--	ABSENT
Kenneth M. Adams, Member	--	AYE
Karen T. Marcus, Member	--	ABSENT
Jerry L. Owens, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this MAY - 7 1985 day of May confirming action of the 24th January 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Donna McWilliam
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Randy Jones
County Attorney