

RESOLUTION NO. R- 85-1238

RESOLUTION APPROVING ZONING PETITION 85-68, 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. 85-68 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 28th June 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 28th of June 1985, that Petition No. 85-68 the petition of EDWIN J. NELSON By Robert W. Jahn, Agent, for a SPECIAL EXCEPTION TO ALLOW A PLANNED OFFICE BUSINESS PARK on Lot 30, less the East 10.00 feet thereof for road right-of-way, according to the Plat of Square Lake, in Section 24, Township 42 South, Range 42 East, as recorded in Plat Book 23, Page 141. Said property located on the west side of Military Trail approximately .7 miles south of Northlake Boulevard (S.R. 809A) was approved as advertised subject to the following conditions:

1. Prior to Site Plan Certification the plan shall be amended to reflect the following:
  - a) Additional site data including site area and lot coverage ratio.
  - b) Relocation of dumpster area away from residential development.

2. All mechanical and air conditioning equipment shall be roof mounted and screened with parapets or be contained within an enclosed loading and service area.
3. The rear facades of the building shall be given architectural treatment consistent with the front of the building to avoid an incompatible appearance impact upon nearby residential development.
4. No stock loading or dumpster pickup will be permitted between the hours of 8:00 p.m. and 8:00 a.m.
5. No storage or placement of any materials, refuse, equipment or accumulated debris shall be permitted in the rear of the building.
6. Any security lighting shall be directed away from nearby residences.
7. The developer shall preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measures shall also be taken to protect these preservation areas during site clearing and construction.
8. 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.
9. The Property owner shall convey for the ultimate right-of-way of Military Trail, 60 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.
10. The Property owner shall construct Military Trail as a three-lane section from this project's entrance south to the existing Grove Park Elementary School entrance with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer.
11. The Property owner shall obtain an onsite Drainage permit from the Palm Beach County Engineering Department Permit section prior to the issuance of a Building Permit.
12. The Property owner shall obtain a Turnout Permit from the Florida Department of Transportation for access onto Military Trail.
13. 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.
14. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
15. 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.
16. 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.
17. The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.

Commissioner Wilken , 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:

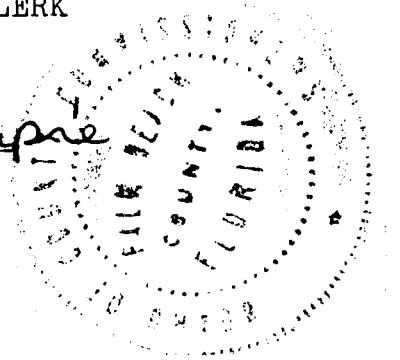
Ken Adams, Chairman	--	AYE
Karen T. Marcus, Vice Chairman	--	ABSENT
Kenneth Spillias, Member	--	AYE
Jerry L. Owens, Member	--	AYE
Dorothy Wilken, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 13th day of August confirming action of the 28th June 1985.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Cheryl Beaupre  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

Sandy Spigler  
County Attorney