

RESOLUTION NO. R- 86-115

RESOLUTION APPROVING ZONING PETITION 85-126, Rezoning

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. 85-126 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 30th October 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 petitioner agreed that he shall convey to the Lake Worth Drainage District the north seventy (70) feet of the east two-hundred (200) feet of Lot 1, Block 29, Palm Beach Farms Company Plat No.3. for the required right-of-way for Lateral Canal No.12, by Quit Claim Deed or an Easement Deed on the form provided by said District, within ninety (90) days of adoption of the Resolution by the Board of County Commissioners; and

WHEREAS, the petitioner agreed that 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; and

WHEREAS, the petitioner agreed that reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters; and

WHEREAS, the petitioner agreed that 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; and

WHEREAS, the petitioner agreed that 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.; and

WHEREAS, the petitioner agreed that the development shall retain onsite 85% of the stormwater runoff generated by, a three (3) year-24 hour storm per requirements of the Permit Section, Land Development Division; and

WHEREAS, the petitioner agreed that the property owner shall obtain an onsite Drainage Permit from the Palm Beach County Engineering Department Permit section prior to the application of a Building Permit; and

WHEREAS, the petitioner agreed that the property owner shall obtain a Turnout Permit from the Palm Beach County Engineering Department, Permit Section for access onto Charleston Road; and

WHEREAS, the petitioner agreed that he shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting; and

WHEREAS, the petitioner agreed that he shall comply with prospective amendments to the Palm Beach County Landscape Code, should such amendments be enacted prior to the issuance of permits for this project; and

WHEREAS, the petitioner agreed that there shall be no off-premises advertising signs (billboards) on this site; 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 30th of October 1985, that Petition No. 85-126 the petition of MARIAN B. ROCKWELL, By Carl P. Christoff, Agent, for the REZONING, FROM AR-AGRICULTURAL RESIDENTIAL DISTRICT TO CS-SPECIALIZED COMMERCIAL DISTRICT on a parcel of land being the North 153 feet of

the East 200 feet of Lot 1, Block 29, Palm Beach Farms Company Plat No. 3, in Section 28, Township 44 South, Range 42 East, according to the plat thereof recorded in Plat Book 2, Page 48. Reserving a 30 foot easement on the North side of the above for drainage and utilities, known as Tracts 1 and 2 in Florida Gardens, Plat 6, unrecorded. Said property located on the west side of Charleston Street approximately 45 feet south of Lake Worth Road (S.R. 802), and being bounded on the north by L.W.D.D. Lateral Canal No. 12 was approved as advertised with voluntary commitments.

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

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

The foregoing resolution was declared duly passed and adopted this day of FEB 11 1986 confirming action of the 30th October 1985.

PALM BEACH COUNTY, FLORIDA  
 BY ITS BOARD OF COUNTY COMMISSIONERS  
 JOHN B. DUNKLE, CLERK

BY:   
 Deputy Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

  
 County Attorney