

RESOLUTION NO. R- 86-215

RESOLUTION APPROVING ZONING PETITION 81-100(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. 81-100(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 2nd December 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. With minor site plan modifications, this proposal will be 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 2nd of December 1985, that Petition No. 81-100(A) the petition of GUY W. AND LOIS E. SCOTCHEL, By Paul Parker, Agent, for a SPECIAL EXCEPTION TO AMEND AND EXPAND THE SITE PLAN PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 81-100, TO ADD 0.2 ACHE OF LAND AND TO INCREASE THE BUILDING SQUARE FOOTAGE on Lots 1,2,3,4,5, and 6, Eleanor Park, in Section 29, Township 43 South, Range 43 East, as recorded in Plat Book 22, Page 60. Said property located on the northeast corner of the intersection of Congress Avenue (S.R. 807) and Philo Street in a CG-General Commercial District was approved as advertised subject to the following conditions:

1. Prior to site plan certification, the site plan shall be amended to reflect the following:

- a) A minimum fifteen (15) foot side interior setback for the proposed

building addition, or obtain Zoning Board of Adjustment variance relief to permit the proposed five (5) foot side interior setback.

2. All conditions previously approved pursuant to Petition Number 81-100 shall remain in effect, unless superseded or modified herein.

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 construct Philo Street as a 2 lane section (20 feet wide) from the present paved terminus east of Philo Street east to the project's new east property line concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer.

5. The property owner 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. The Fair Share Fee for this project presently is \$6,242.00 (233 trips X \$26.79 per trip).

6. 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.

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. The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.

Commissioner Marcus, 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	--	AYE
Kenneth Spillias, Member	--	ABSENT
Jerry L. Owens, Member	--	AYE
Dorothy Wilken, Member	--	ABSENT

The foregoing resolution was declared duly passed and adopted this 25th day of February, 1986 confirming action of the 2nd December 1985.

PALM BEACH COUNTY, FLOHIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Patricia Weaver*  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

*Andy Brown*  
County Attorney