

RESOLUTION NO. R- 86-486

RESOLUTION APPROVING ZONING PETITION 85-173, 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. 85-173 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 3rd January 1986; 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 site plan modification, 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 3rd of January 1986, that petition No. 85-173 the petition of HERBERT L. AND HELEN E. WILLARD, By Beril Kruger, Agent, for a SPECIAL EXCEPTION TO ALLOW AN OFFICE/WAREHOUSE COMBINATION on a parcel of land in Tract 39 of the Hiatus in Township 44 1/2 South, Range 42 East, said parcel of land being specifically described as follows:

From the Northwest corner of Lot 3, said Tract 39, bear South 87 degrees 39'42" East, along the North line of said Lot 3 and the centerline of Lantana Road, a distance of 223.68 feet;

Thence, South 25 degrees 40'49" East, a distance of 45.31 feet to the Point Of Beginning;

Thence, continue South 25 degrees 40'49" East, parallel to the West

line of said Lot 3, a distance of 451.40 feet;

Thence, North 64 degrees 19'11" East, a distance of 197.46 feet;

Thence, North 25 degrees 40'49" West, a distance of 346.33 feet to a point on the South Right-of-way line of Lantana Road;

Thence, North 87 degrees 39'42" West, along said Right-of-way line, a distance of 223.69 feet to the Point Of Beginning;

Subject to an easement for ingress over the West 30.0 feet thereof, as measured at right angles to, the West line of the above described parcel.

Together with an easement for ingress and egress over and across a strip of land 60.0 feet in width, the centerline of which is specifically described as follows:

From the Northwest corner of aforementioned Lot 3, Tract 39 of the Hiatus;

Bear, South 87 degrees 39'42" East, along the North line of said Lot 3 and the centerline of Lantana Road, a distance of 223.68 feet;

Thence, South 25 degrees 40'49" East, a distance of 45.31 feet to the Point Of Beginning of said centerline;

Thence, continue South 25 degrees 40'49" East, a distance of 634.68 feet to the terminus of said centerline.

NOTE: For the purposes of this description, the West line of Lot 3 is assumed to be North 25 degrees 40'49" West, and all other bearings relative thereto.

Said property located on the south side of Lantana West Road, approximately .2 mile west of Jog Road 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 revised to reflect the following:

- a) Conformance with the requirements of Section 500.17.K.3.A.C. (Off-street Parking Regulations).
- b) In addition to the canopy trees reflected on the site plan, hedge materials shall also be reflected.
- c) Required landscaping between the vehicular use areas and the adjacent properties.

2. Any fuel or chemical storage tanks shall be installed in accordance with Chapter 17-61, Florida Administrative Code. The design and installation plans will be submitted to the Health Department for approval prior to installation.

3. 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.

4. 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.

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

6. 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.

7. The property owner shall convey for the ultimate right-of-way of Lantana Road, 54 feet from centerline (approximately an additional 14 feet) 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.

8. 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 \$1,473.00 (55 trips x \$26.79 per trip).

9. 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.

10. The property owner shall obtain a Turnout Permit from the Palm Beach County Engineering Department, Permit Section for access onto Lantana Road.

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

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:

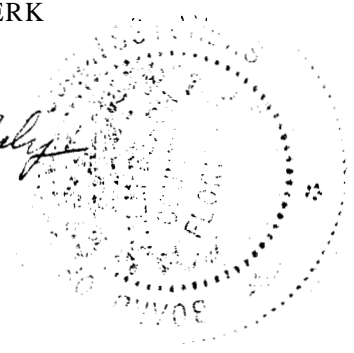
Ken Adams, Chairman	--	AYE
Karen T. Marcus, Vice Chairman	--	AYE
Kenneth Spillias, Member	--	AYE
Jerry L. Owens, Member	--	AYE
Dorothy Wilken, Member	--	ABSENT

The foregoing resolution was declared duly passed and adopted this 8th day of April, 1986 Confirming action of the 3rd January 1986.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Sarah A. Palys  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

[Signature]