

RESOLUTION NO. R-86-636

RESOLUTION APPROVING ZONING PETITION 86-3, 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. 86-3 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 27th February 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. 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 27th of February 1986, that Petition No. 86-3 the petition of FRED WEISBERG, JOAN WEISBERG AND PERRY WEISBERG, for a SPECIAL EXCEPTION TO ALLOW AN OFFICE/WAREHOUSE COMBINATION on Lots 17 through 20, inclusive, together with Lots 47 through 54, inclusive, all in Block 25, West Gate Estates Northern Section, in Section 30, Township 43 South, Range 43 East, as recorded in Plat Book 8, Page 38. Said property located on the north side of Westgate Avenue, approximately 184 feet west of Wabasso Drive, and being bounded on the north by Cherokee Avenue 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 to the employee parking requirement,

b) additional landscaping in the form of 10-12 foot in height canopy trees planted 30 feet on center along all property lines abutting residential development.

2. The required six (6) foot high wall shall receive identical architectural treatment on both sides, consistent with the front of the center.

3. Security lighting shall be directed away from nearby residences.

4. No storage or placement of any materials, refuse, equipment or accumulated debris shall be permitted behind the structure.

5. ~~Full~~ 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.

6. 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.

7. 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.

8. 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.

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

10. This 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. The drainage system shall be maintained in an acceptable condition per the County Engineers approval.

11. The property owner shall not be permitted access onto Cherokee Avenue.

12. 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 \$2,813.00 (105 trips X \$26.79 per trip).

13. 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.

14. The property owner shall obtain a Turnout Permit from the Palm Beach County Engineering Department, Permit Section for access onto Cherokee Avenue and Westgate Avenue.

15. This office/warehouse combination special exception shall be limited to dry storage uses, with ancillary office uses.

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

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

The foregoing resolution was declared duly passed and adopted  
this 13th day of May, 1986 confirming action of the 27th February  
1986.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara O. Paly  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

Andy [Signature]  
County Attorney

