

RESOLUTION NO. R-86-1358

RESOLUTION APPROVING: ZONING PETITION 86-9, 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. 86-9 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 22 May 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.
2. The proposal is consistent with the Purpose and intent of the PIPD Section.
3. The proposal is consistent with the various elements of the Comprehensive Plan and Zoning Code including Mandatory Performance Standards.
4. The proposed Master Plan provides an adequate primary vehicular traffic system.
5. The proposed development is located such that accessibility by fire equipment and service vehicles both to and within the site is facilitated.
6. The proposed Master Plan provides for adequate surface water management and soil conservation.
7. The Proposed Master Plan provides appropriate relationships between land uses.
8. The proposal is not detrimental to the established land use patterns in the surrounding area.
9. The proposal meets all provisions of Subsection F (General Requirements and Special Regulations).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY

COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 22 May 1986, that the petition of CROWN DIVERSIFIED INDUSTRIES CORPORATION By Guerry Stribling, Agent, for the REZONING, FROM AR-AGRICULTURAL RESIDENTIAL DISTRICT TO PIPD-PLANNED INDUSTRIAL PARK DISTRICT on a parcel of land situate in Section 23, Township 44 South, Range 41 East, being more particularly described as follows:

Beginning at the Northeast corner of said Section 23; Thence North 89 degrees 36'27" West, along the North line of said Section 23, a distance of 1374.29 feet; Thence South 01 degree 14'48" West a distance of 2627.72 feet; Thence South 89 degrees 15'55" East a distance of 1374.33 feet to the East line of said Section 23; Thence North 01 degree 14'37" East a distance of 2635.93 feet to the Point Of Beginning. Said property located on the south side of Pierson Road, approximately 1 mile west of U.S. 441 (S.R. 7) was approved as advertised subject to the following conditions:

1. To more fully meet the purpose and intent of the PIPD the master plan shall be revised to reflect the following:
 - a) The appropriate location of the proposed jogging path in a typical section in both plan and section.
 - b) Land areas of all areas to be considered as usable open space.
 - c) Typical cross section of the lake showing the establishment of a vegetative littoral zone.
 - d) Typical detail of berm, hedge or fence and required trees within the northern and southern buffer areas.
 - e) Conformance to the new landscape code (Section 500.35).
 - f) Note phasing and existing land use.
2. The required 25 foot buffer along the western property line shall be waived by the Board of County Commissioners.
3. Prior to master plan certification, the plan shall be revised to reflect all conditions of approval and site specific code requirements Pursuant to Section 615 (P.I.P.D.).
4. Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particle;) 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. 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. The occupant of the facility will participate in an oil recycling program which insures proper reuse or disposal of waste oil.

9. Generation and disposal of hazardous effluents into sanitary sewerage system shall be prohibited unless adequate pretreatment facilities, approved by the Florida Department of Environmental Regulations (FDER) an Agency responsible for sewage works, are constructed and used by project tenants or owners generating such effluents.

10. Burning due to land clearing operations shall be conducted in accordance with Chapter 17-5, Florida Administrative Code.

11. During land clearing and site preparation, wetting operations or other soil treatment techniques appropriate for controlling unconfined emissions shall be undertaken and implemented by the developer to the satisfaction of the Palm Beach County Health Department (PBCHD) and the FDER.

12. The Palm Beach County Health Department shall review the architectural construction drawings for all buildings and/or facilities at each individual site to establish if permitting by this Agency will be required. Lots located on the east side of Fairlane Farms Road shall be limited to open and enclosed storage uses. Uses in the "commercial" areas shall be limited to office-warehouses, paint, hardware, and building supply sales. The remainder of the project shall be limited to light industrial uses, as regulated by the PXPD ordinance.

13. All lots located within this proposed PIPD shall front on to a minimum of 80 foot right-of-way per requirements of the Subdivision and Platting Ordinance 73-4 as amended.

14. The development shall retain onsite 85% of the stormwater runoff generated by 3 three (3) year-one hour storm per requirements of the Permit Section, Land Development Division. The drainage system shall be maintained in at acceptable condition per the County Engineer's approval.

15. The property owner shall construct at the intersection of Fairlane Farms Road and Pierson Road:

- a) Left turn lane, north approach
- b) Left turn lane, south approach
- c) Left turn lane, east approach
- d) Left turn lane, west approach
- e) Pavement markings per the County Engineer's approval from Fairlane Farms Road to Forest Hill Boulevard.

All concurrent with onsite paving and drainage improvements Pursuant to a paving and drainage permit issued from the office of the County Engineer.

16. 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 \$60,800.00 (2,272 trips X \$26.79 per trip). The developer has agreed to contribute these funds at the time of the filing of the first plat.

17. Based on the Traffic Performance Standards (Category "A"), the Developer shall contribute an additional \$30,433.00 toward

Palm Beach County's existing Roadway Improvement Program. These funds of \$30,433.00 shall be paid within 12 months of Special

Exception approval or prior to the recording of the first plat, whichever shall first occur.

18. The property owner shall obtain a Turnout Permit from the Acme Drainage Improvement District for access onto Pierson Road.

19. The property owner shall plat each parcel per the County Engineers Approval.

20. There shall be no retail or consumer service uses other than those related to home improvement or construction related uses permitted in the proposed office-warehouse combination.

Commissioner Owens, 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	--	AYE
Jerry L. Owens, Vice Chairman	--	AYE
Kenneth Spillias, Member	--	ABSENT
Dorothy Wilken, Member	--	AYE
Kenneth M. Adams, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 9th day of September, 1986 confirming action of the 22 May 1986.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara O'Leary
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Barbara O'Leary
County Attorney