

RESOLUTION NO. R- 87-516

RESOLUTION APPROVING ZONING PETITION 86-134, 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. 86-134 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on December 1, 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 required site plan modifications, this proposal will be consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 31ST day of March, 1987, that: Petition No. 86-134, the petition of TRANSAL CORPORATION By Lee Starkey, Agent, for a SPECIAL EXCEPTION TO ALLOW AN OFFICE WAREHOUSE COMBINATION on a parcel of land being Lots 1 through 4, inclusive, of the Unrecorded Plat of Palm Acres Tract No. 3, said parcel of land being more particularly described as follows: The North 518 feet of the East 1/2 of the Northeast 1/4 of the Southeast 1/4 of

Section 7, Township 44 South, Range 43 East, less the East 50 feet thereof for Road Right-of-way. Subject to Right-of-way to Lake Worth Drainage District Lateral Canal No. 7. Said property located on the west side of Congress Avenue (S.R. 807), approximately .1 mile north of Forest Hill Boulevard was approved as advertised subject to the following conditions:

1. All mechanical and air conditioning equipment shall be roof mounted and screened or be contained within the enclosed loading and service area.
2. No stock loading or dumpster pickup will be permitted between the hours of 8:00 P.M. and 8:00 A.M.
3. Security lighting shall be directed away from nearby residences.
4. No retail land uses shall be permitted in the Office-Warehouse Combination.
5. Prior to site plan certification, petitioner shall record a Unity of Title Agreement covering the entire parcel.
6. The developer shall retain the stormwater runoff in accordance in all applicable agency requirements in effect at the time of the permit application. However, at a minimum, this 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. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer. In the event that the drainage system is not adequately maintained as determined by the County Engineer this matter will be reviewed by the Code Enforcement Board for enforcement.
7. The property owner shall convey for the ultimate right-of-way of Congress Avenue, 53 feet from centerline within 90 days of the approval of the Resolution approving this project.
8. The property owner shall construct a left turn lane, south approach on Congress Avenue at the project's south entrance road concurrent with onsite paving and drainage improvements.
9. 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 \$27,353.00 (1,021 trips X \$26.79 per trip).
10. The petitioner shall convey to the Lake Worth Drainage District
  - a) South 22.8 feet of the north 60 feet of the E 1/2 of the NE 1/4 of the SE 1/4 of Section 7-44/45, less the east 50 feet thereof, for the required right-of-way for Lateral Canal No. 7, and

- b) A small triangular (approximately 10' X 60') parcel at the northwest corner of the property for access to Lateral Canal No. 7.
- c) The North 37.2 feet of the E 1/2 of the NE 1/4 of the SE 1/4 of said Section 7.

All by Quit Claim Deed or an Easement Deed in the form provided by said District within ninety (90) days of the approval of the Resolution approving this project.

Commissioner Adams, 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	--	AYE
Jerry L. Owens	--	AYE
Carol Roberts	--	AYE
Dorothy Wilken	--	AYE
Kenneth M. Adams	--	AYE

The foregoing resolution was declared duly passed and adopted this 31ST day of March, 1987 confirming action of December 1, 1986.

PALM BEACH COUNTY, FLORIDA  
 BY ITS BOARD OF COUNTY  
 COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: [Signature]  
 Deputy Clerk

APPROVED AS TO FORM  
 AND LEGAL SUFFICIENCY

[Signature]  
 County Attorney

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