

JOHN B. DUNKLE , CLERK

Board of County Commissioners  
Palm Beach County, Florida

301 NORTH OLIVE • P. O. BOX 4036 • WEST PALM BEACH, FL 33402 • (305) 837-2959

MEMORANDUM

TO : SUSAN HAGERTY,  
ADMINISTRATIVE SECRETARY

FROM : LISA E. DORSEY, LED  
DEPUTY CLERK PALM BEACH COUNTY COMMISSION

DATE : AUGUST 27, 1987

RE : ZONING PETITIONS OF MAY 28 & 29, 1987

Zoning Petitions numbered 87-10; 85-124(A); 76-44(A); 82-152(B); and 84-99(B) were approved as Resolutions in the August 11, 1987 Board of County Commissioners Meeting.

When affixing the Resolution numbers to the Petitions, a few numbers were incorrectly printed. The corrections are as follows:

- R-87-1186 should be R-87-1190  
(Pet.# 87-10)
- R-87-1187 should be R-87-1186  
(Pet.# 76-44(A))
- R-87-1188 should be R-87-1187  
(Pet.# 82-152(B))
- R-87-1189 should be R-87-1188  
(Pet.# 84-99(B))
- R-87-1190 should be R-87-1189  
(Pet.# 85-124(A))

Please compare resolution and petition numbers as I have done above. The petition numbers are printed directly below the resolution number in which they are recorded under in the Official Record Book for the County. Enclosed are corrected copies of the resolutions. Please discard the incorrect ones that were originally sent to you.

The Minutes Department hope that this error did not cause too much of an inconvenience for your department or clients.

If you have any questions in reference to this, contact me at 820-2955.

Thank you.

COUNTY AUDITOR

CUSTODIAN OF COUNTY FUNDS

RESOLUTION NO. R- 87-1188

RESOLUTION APPROVING ZONING PETITION 84-99(B), 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. 84-99(B) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on May 28, 1987 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 that Petition No. 84-99(B) the petition of MISSION BAY PLAZA ASSOCIATES, by Kieran J. Kilday, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A PLANNED COMMERCIAL DEVELOPMENT, INCLUDING A LARGE SCALE COMMUNITY SHOPPING CENTER IN EXCESS OF 50,000 SQUARE FEET OF TOTAL FLOOR AREA, AUTOMOBILE SERVICE STATION WITH GASOLINE PUMP ISLAND FACILITIES, AND A THEATRE, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 84-99 ON

JULY 26, 1984 TO INCLUDE A CAR WASH (SELF-SERVICE OR AUTOMATIC) on all of the lands constituting Mission Bay Plaza as shown by the Plat thereof in Section 13, Township 47 South, Range 41 East, as recorded in Plat Book 49, Pages 160 through 162. Also, all of the lands which constitute a portion of the 30 foot Right-of-way as shown on The Florida Fruit Lands Company's Subdivision No. 2 of Section 13, Township 47 South, Range 41 East, which was Abandoned per Resolution No. R-84-1932 adopted by the Board of County Commissioners of Palm Beach County as recorded in Book 4438, Pages 1770 through 1773, and being more particularly described as follows: Commencing at the most Northerly Northeast corner of Tract A the Plat of Mission Bay Plaza, as recorded in Play Book 49, Pages 160 through 162, thence South 00 degrees 51' 43" East, a distance of 560.64 feet, thence South 01 degree 06' " West, a distance of 36.68 feet to the Point of Beginning, the last two courses being coincident with the East boundary of Tract A of said Mission Bay Plaza, thence continue South 01 degree 06' 06" West, a distance of 30.01 feet, thence South 89 degrees 47' 02" West, a distance of 1062.72 feet to the West boundary of said Mission Bay Plaza, thence along said West Boundary North 12 degrees 51' 43" West, a distance of 30.75 feet, thence North 89 degrees 47' 02" East a distance of 1070.15 feet to the Point of Beginning. The Property is located on the northwest corner of the intersection of U.S. 441 (SR 7) and Glades Road (SR 808) in an CG-General Commercial Zoning District and was approved as advertised subject to the following conditions:

1. The petitioner shall comply with all conditions of previous approval unless expressly modified herein.
2. Prior to site plan certification, the site plan shall be amended to reflect the following:
  - a) Labeling, location, delineation, and dimension of required parking areas convenient to the automobile service station and car wash area.
  - b) A five (5) car stacking distance for each gasoline pump island and the car wash facility.

- c) Delineation of the handicap spaces.
3. No building permit shall be issued for the subject property until such a time that the site is approved for connection to a public sewer system.
  4. Since sewer and water service are available to the property, neither septic tank nor well shall be approved for use on the property.
  5. Since water service is available to the property, a potable water well shall not be approved for use on the property.
  6. The developer shall retain the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application. However, at a minimum, this development shall retain onsite three (3) inches of the stormwater runoff generated by a three (3) year-one (1) hour storm as required by 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 referred to the Code Enforcement Board for enforcement.
  7. The developer shall design the drainage system such that storm water runoff from the parking areas and paved surfaced shall be separate from those areas which may contain hazardous or undesirable waste from the proposed site.
  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 \$777.00 for the proposed car wash (29 trips X \$26.79 per trip).
  9. No off premises signs shall be erected on site.
  10. Carwash facility shall have water recycling system. There shall be no connection of this system to the septic tank.
  11. Petitioner shall provide a six (6) foot high berm between the car wash area and the north property line, extending a minimum of 150 feet from the west right-of-way line of SR 7. This berm shall be supplemented with canopy trees a minimum of eight (8) feet in height, planted 30 feet on center, and a hedge or wall an additional three (3) feet in height.

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:

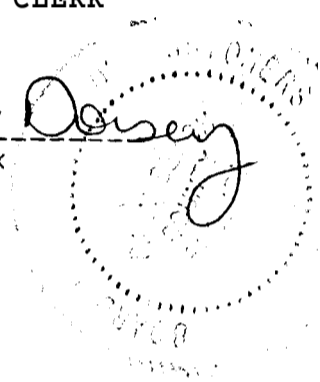
Carol A. Roberts -- Aye  
Karen T. Marcus -- Aye  
Dorothy Wilken -- Aye  
Kenneth M. Adams -- Aye  
Carol J. Elmquist -- Absent

The foregoing resolution was declared July passed and adopted this 11th day of August, 1987 confirming action of May 28, 1987.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Lisa E. Dorse  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

R.W. [Signature]  
County Attorney