

RESOLUTION NO. R-88-1194

RESOLUTION APPROVING ZONING PETITION NO. 87-35
SPECIAL EXCEPTION PETITION OF GREGORY K. TALBOTT

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. 87-35 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on July 23, 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, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner; 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 local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 87-35, the petition of GREGORY K. TALBOTT, TRUSTEE, by Linda La Bat, Agent, for a SPECIAL EXCEPTION TO ALLOW AN OFFICE/WAREHOUSE COMBINATION on a parcel of land lying on the East 150 feet of the West 350 feet of the North 1/2 of the North 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 13, Township 44 South, Range 42 East, LESS the North 40 feet, to Lake Worth Drainage District for road and drainage purposes Subject to an Easement for road purposes, over the South 10 feet of the North 50 feet, thereof. Together with an Easement for road purposes over the South 10 feet of the North 50 feet of the East 160 feet of the West 200 feet of the North 1/2 of the North 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 13, Township 44 South, Range 42 East, located on the south side of Canal 8 Road, approximately 150 feet east of Military Trail (SR 809), in a CF General Commercial Zoning District, was approved as advertised.

subject to the following conditions:

1. Prior to site plan certification, the site plan shall be amended to reflect the following:
 - a. Required landscaping between off-street parking areas and right-of-way.
 - b. Minimum parking stall length of twenty (20) feet along the eastern side of the property.
 - c. Parallel parking stall lengths of twenty-two (22) feet (minimum) along the western side of the site.
 - d. Garage bay doors shall be oriented away from residentially zoned areas.
2. 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 on site three (3) inches of the stormwater runoff generated by a three (3) year-one (1) hour storm (3.0 inches) 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.
3. If required by the County Engineer or the South Florida Water Management District, the developer shall design the drainage system so that storm water runoff from the parking areas and paved surfaced shall be separate from those areas which may contain potentially hazardous or undesirable waste from the proposed site.
4. The property owner shall convey for an access easement of Canal 8 Road along north property line an additional 15 feet within ninety (90) days of final adoption of the Resolution approving this project.
5. The property owner shall construct Canal 8 Road (minimum 2-10 foot travel lanes) to local street standards from Military Trail to the project's east property line concurrent with onsite paving and drainage improvements.
6. 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 \$3,456.00 (129 trips X \$26.79 per trip).

7. Use of the site shall be limited to office/warehouse activities only. There shall be no retail activities on this site. Consumer services shall be limited to walk-in trade for materials and equipment used in the conduct of the business.
8. The application and engineering plans, calculations etc. to construct the proposed septic tank must be submitted to the Health Department prior to site plan approval.
9. Since water is available to the property, no well shall be approved for use on the property.
10. Prior to site plan approval, the property owner shall provide to the property owner to the west an access easement for the purpose of maintaining the existing septic tank of the adjacent property owner.
11. No off-premises signs shall be erected on the site.
12. The maximum height of garage doors shall be twelve (12) feet.
13. The developer shall erect a sign at the project's entrance to Canal 8 Road clearly indicating "No Right Turn".
14. There shall be no outdoor storage permitted on site.
15. Prior to the issuance of a building permit, permission from the Lake Worth Drainage District shall be obtained for the use of Canal 8th right-of-way for commercial usage by the applicant.
16. No trucks or equipment shall be parked or stored on the east side of the building.
17. Petitioner shall enhance the exterior architectural treatment of the building through the installation of decorative awnings over the door's facing east.
18. Security lighting shall be low intensity and directed away from adjacent properties or roadways, shining only on the subject property.

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

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

The foregoing resolution was declared duly passed and adopted this 9th day of August, 1988 confirming action of July 23, 1987.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

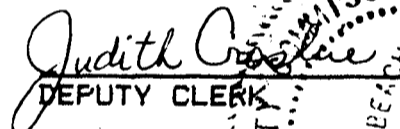
BY:


COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


DEPUTY CLERK

