

RESOLUTION NO. R-89- 587

RESOLUTION APPROVING ZONING PETITION NO. 87-151  
SPECIAL EXCEPTION PETITION OF DIVERSIFIED SERVICES, INC.,  
D/B/A BUDGET RENT-A-CAR

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. 87-151, was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on January 28, 1988; 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. 87-151, the petition of DIVERSIFIED SERVICES, INC., D/B/A BUDGET RENT-A-CAR, Alfred J. Malefatto, Agent, for a SPECIAL EXCEPTION TO PERMIT A NEW AND USED AUTOMOBILE, TRUCK, BOAT, MOTORCYCLE, MOBILE HOME, RECREATIONAL VEHICLE SALES AND RENTAL AND REPAIR FACILITIES AND LOTS AND AN AUTO PAINT AND BODY SHOP PREVIOUSLY APPROVED UNDER ZONING PETITION 83-94 ON JULY 28, 1983 (RESOLUTION R-83-1104 ADOPTED SEPTEMBER 13, 1983) AND ZONING PETITION 83-92(A) ON JANUARY 26, 1984 (RESOLUTION R-84-770 ADOPTED JUNE 12, 1984) on a parcel of land lying on the West 290.00 feet of the East 330.00 feet of the North 660.00 feet of the South 726.00 feet of the Southwest 1/4 of Section 29, Township 43 South, Range 43 East, AND PARCEL 1: A parcel of land located in Section

29, Township 43 South, Range 43 East, described as follows:

Beginning at a point on the North line of the right-of-way of Belvedere Road, said point being 66.00 feet North of the South line of said Section 29, and 505.00 feet West of the 1/2-section line; thence running Northerly parallel, or nearly so, to the 1/2-section line, a distance of 660.00 feet: thence running Easterly parallel, or nearly so, to Belvedere Road, a distance of 175.00 feet; thence Southerly parallel, or nearly so, to the 1/2-section line, a distance of 660.00 feet: thence Westerly along the right-of-way of Belvedere Road, a distance of 175.00 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM the West 75.00 feet thereof and rights-of-way for drainage canal purposes.

TOGETHER WITH:

PARCEL 2: Deed Book 976, Page 506 and Official Record Book 131, Page 352, the West 1/2 of all that certain plot or parcel of land in Section 29, Township 43 South, Range 43 East, described as follows:

Beginning at a point on the North line of the right-of-way of Belvedere Road, said point being 66.00 feet North of the South line of said section and 683.67 feet West of the 1/2 section line: thence running North parallel to the 1/2 section line, a distance of 660.00 feet; thence East parallel to Belvedere Road a distance of 178.67 feet: thence South parallel to the 1/2 section line, a distance of 660.00 feet; thence West along the right-of-way of Belvedere Road, a distance of 178.67 feet to the POINT OF BEGINNING, excepting therefrom rights-of-way for drainage canal purposes: AND Deed Book 982, Page 275; The East 1/2 of all that certain plot or parcel of land in Section 29, Township 43 South, Range 43 East, described as follows:

Beginning at a point on the North line of the right-of-way of Belvedere Road, said point being 66.00 feet North of the South line of said Section and 683.67 feet West of the 1/2 section line: thence running North parallel to the 1/2 section line, a distance of 660.00 feet; thence East parallel to Belvedere Road a distance of 178.67 feet; thence South parallel to the 1/2 section line, a distance of 660.00 feet; thence West along the right-of-way of Belvedere Road, a distance of 178.67 feet to the POINT OF BEGINNING, excepting therefrom rights-of-way for drainage canal purposes; AND Official Record Book 195, Page 5.

All that certain plot or parcel of land located in Section 29, Township 43 South, Range 43 East, described as follows:

Beginning at a point on the North line of the right-of-way of Belvedere Road, said point being 66.00 feet North of the South line of said Section Road, said point being 66.00 feet North of the South line and said Section 29, and 505.00 feet West of the

1/2 section line; thence running Northerly parallel, or nearly so, to the 1/2 section line a distance of 660.00 feet thence running easterly parallel or nearly so to Belvedere Road, a distance of 75.00 feet; thence Southerly parallel, or nearly so, to the 1/2 section a distance of 660.00 feet; thence Westerly along the right-of-way of Belvedere Road, a distance of 75.00 feet to the POINT OF BEGINNING, located on the northwest corner of the intersection of Belvedere Road and Florida Mango Road, in a CG-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 indicate the following:
  - a. Rental vehicle access to Belvedere Road shall be limited to the westernmost entry/exit point only. The central exit point shall be limited to shuttle bus exit only. A radio controlled traffic gate or similar device shall be installed at this central car exit point. Truck rental access shall be limited to the eastern most entrance on Belvedere Road.
  - b. The existing canopy on the rental return facility shall be removed.
  - c. Signage shall be installed that clearly directs the return vehicles to park a safe and reasonable distance from the right-of-way (See further Conditions regarding signage).
  - d. The existing fueling facilities shall be relocated outside the stacking area.
  - e. Entry/exit points shall be no greater than 35 feet in width.
  - f. Two primary cross site circulation routes: one north/south, one east/west shall be provided. No backing of vehicles shall be permitted into these cross access routes. The routes shall be defined by landscape medians.
2. Prior to site plan certification, petitioner shall submit a site signage plan. This plan shall demonstrate the size and location of all signs and shall be subject to the following restrictions:
  - A. RESTRICTIONS ON-PREMISE SIGNAGE.
    - (1) MAXIMUM NUMBER OF FREE-STANDING SIGNS.
      - The maximum number of free-standing signs shall be

four (4) for the frontages of Florida Mango Road and Belvedere Road. These signs shall be placed along these frontages.

**(2) MAXIMUM NUMBER OF WALL SIGNS.**

In addition, the maximum number of flat or wall signs shall be one (1) sign for each building facade facing a public street on which the self-service storage facility has access.

**(3) MAXIMUM HEIGHT OF SIGNS.**

The maximum height of free standing signs shall not exceed thirty-five (35) feet. No increase in height above this shall be permitted.

**(4) MAXIMUM SIGN AREA.**

The maximum total sign area for on-premises signs shall not exceed one thousand (1,000) square feet total.

**(5) ROOF SIGNS PROHIBITED.**

No roof sign shall be permitted on the site.

**(6) Directional signage shall be the minimum necessary to provide a safe and functional traffic flow. Directional signage shall bear no advertisement.**

**(7) Pole signs shall be located outside the required perimeter landscape strips.**

**(8) No flat, or painted, signs shall be attached to the walls or the perimeter of the site.**

3. No off-premise signs shall be permitted on the site. Existing off-premise signs shall be removed within one (1) year of the issuance of a Certificate of Occupancy for the principal use, or prior to the required first annual landscape inspection.

4. In order to accommodate the transfer of interior landscaping from the project's specialized vehicular use areas and to mitigate the impact of the intense nature of this use, an Alternative Landscape Betterment Plan shall be submitted to the Department and approved prior to certification of a site plan. The Alternative Landscape

Betterment Plan shall reflect the following minimum design standards:

- a. A perimeter landscape buffer a minimum of 15 feet in width between all vehicular use areas and abutting rights-of-way. In addition to the proposed landscaping (Petition No. 83-92(B), Exhibit 39), native canopy trees (minimum 14 feet in height) shall be provided 30 feet on center on the interior side of the existing wall. All palms within these perimeter landscape buffers shall be native. (No Queen Palms shall be permitted).
  - b. In the areas where no wall is provided, a hedge, berm or combination thereof shall be provided to height of 6 feet at the time of planting.
  - c. An irrigation plan reflecting complete coverage for all landscape areas. Turf coverage shall be provided in the Florida Mango Road right-of-way to the edge of pavement. This area shall also receive appropriate irrigation cover.
  - d. One (1) native canopy tree or three (3) palms shall be provided for each 500 square feet of required transferable interior landscaping. (24,000 square feet of required transferable interior landscaping). The total tree planting requirement shall not be less than 200 trees.
  - e. When trees are planted in landscape areas that serve as a retention or drainage function, the trees shall be an appropriate species to withstand wet conditions.
  - f. The addition of a minimum 1,000 square foot landscape median strip separating the east/west circulation route from the vehicle storage area to the north.
5. The exterior of all walls (proposed and existing) shall, at a minimum, be stucco and painted.
  6. No barbed wire or similar devices shall be visible along any of the lot frontages facing public streets.
  7. Documentation shall be submitted substantiating the nonconforming status of all such buildings or variance relief shall be obtained from the Board of Adjustment from the minimum setback requirements.

8. Accessory fuel pump islands and automated wash facilities for vehicles are permitted, provided they are not open to the public, not located within 100 feet from any residentially zoned property, and located within an enclosed area where it is not visible off premises).
9. No advertising flags, foreign flags, pennants, banners, streamers, balloons, gimmicks or advertising designed to attract the public's attention off-site shall be displayed outdoors, or upon any building, vehicle or wall, other than inside a window as may be permitted by the Sign Code.
10. The petitioner shall provide an entirely internal area to unload vehicles from car carriers. This area shall:  
(a) be a minimum of 15 feet wide and 60 feet long; (b) have sufficient maneuvering area adjacent to it; (c) be located out of the interior vehicular traffic circulation, and (d) not be adjacent to residentially zoned lots.
11. Areas designated for the off-loading of vehicles and for loading and deliveries shall be located to the rear of buildings and shall be located so as to minimize off-site noise impacts. These areas shall not be located closer than 100 feet from any residentially zoned lot, and shall be appropriately designated, marked and signed.
12. Use of this site shall be limited to: (1) the rental and leasing of cars and trucks; (2) automobile parking (SIC Code 7521); (3) sales of used automobiles and trucks (limited to fleet sales); and customary accessory land uses, including vehicle maintenance and sales.
13. 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. 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

waster from the proposed site.

14. The property owner shall:
  - a. extend the existing 6 feet raised concrete traffic separator on Belvedere Road subject to approval by the County Engineer.
  - b. construct as a four lane curb and gutter section a minimum of 48 feet in width, including appropriate drainage, on Florida Mango Road from Belvedere Road north to a point 300 feet, plus the appropriate tapers. Including modifications as may be required to the existing canal structure on Florida Mango Road, as determined by the County Engineer.
  - c. this construction shall include left turn lane, south approach on Florida Mango Road at the project's entrance road laneage shall include dual lefts, and a separate right turn and one thru lane, north approach on Florida Mango Road at Belvedere Road.

All concurrent with onsite paving and drainage improvements.

15. 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 \$4,929.00 (184 trips X \$26.79 per trip). Credit for the Fair Share Fee shall be given for work performed under Condition No. 14.b above.
16. Generation and disposal of hazardous effluents into sanitary sewerage system shall be prohibited unless adequate pretreatment facilities approved by the Florida Department of Environmental Regulation (FDER) and Agency responsible for sewage works are constructed and used by project tenants or owners generating such effluents.
17. Since sewer service is available to the property, septic tank shall not be approved for use on the property.
18. Since water service is available to the property, a potable water well shall not be approved for use on said property.
19. Vehicle parking shall be limited to the parking areas designated on the approved site plan. No parking of

vehicles is to be allowed in landscaped areas, right-of-way, or interior drives.

20. Outdoor lighting used to illuminate the premises shall be low intensity and directed away from adjacent properties and streets, shining only on the subject site.
21. No outdoor loudspeaker system shall be permitted on the site.
22. Outside storage of disassembled vehicles or parts shall be restricted to the maintenance area as shown on Exhibit No. 43 and shall be visually screened from the customer parking area, rights-of-way, and adjacent properties.
23. Exterior lighting shall not exceed 35 feet in height and shall be directed away from adjacent properties.
24. The petitioner shall dedicate, within ninety (90) days of Special Exception approval, a Safe Corner in the northwest corner of Florida Mango Road and Belvedere Road.
25. All rental trucks sixteen (16) feet or greater in length shall be parked in designated areas. This area shall be limited to the northeastern portion of the truck rental area as designated on Exhibit No. 40. The designated area shall be clearly delineated with pavement markings.



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

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

The foregoing resolution was declared duly passed and adopted this 4th day of April, 1989 confirming action of January 28, 1988.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY:

*Burton Altman*  
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

*Jina M. Hays*  
DEPUTY CLERK

