

RESOLUTION NO. R-89- 606

RESOLUTION APPROVING ZONING PETITION NO. 86-43(A)
SPECIAL EXCEPTION PETITION OF THEODORE BABBITT

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. 86-43(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on January 4, 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. 86-43(A), the petition of THEODORE BABBITT, by George G. Gentile, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A PLANNED COMMERCIAL DEVELOPMENT, TWO AUTO SERVICE STATIONS, AND A HOTEL PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 85-9 (RESOLUTION NO. R-85-664) AND UNDER ZONING PETITION NO. 86-43 (RESOLUTION NO. R-86-1366), TO INCLUDE A CAR WASH, on the following parcels of land:

PARCEL ONE :

A parcel of land lying in the Southwest 1/4 of Section 3, Township 41 South, Range 42 East, said parcel being more particularly described as follows:

From the Northwest corner of the Southwest 1/4 of said Section 3, bear South 89 degrees 24' 50" East, along the North line of said Southwest 1/4, a distance of 654.27 feet to a point in the West line of the Northeast 1/4 of the Northwest 1/4 of the Southwest 1/4 of said Section 3; thence South 00 degrees 56' 12" West, along said West line, a distance of 148.49 feet to a point in the South line of the limited access right-of-way as recorded in Official Record Book 4051, Page 426, and the POINT OF BEGINNING of the herein described parcel of land (said South line being 141.00 feet South of and parallel with the baseline (centerline of State Road 706); thence proceed North 88 degrees 22' 25" East, along said South right-of-way line, a distance of 133.68 feet to a point in the Westerly line of the cul-de-sac right-of-way, as recorded in Official Record Book 3618, Page 809; said curve having a radius of 50.00 feet, being concave to the Northeast; thence Southeasterly along the arc of said curve, through a central angle of 66 degrees 25' 21", a distance of 57.97 feet to the point of reverse curvature of a curve concave to the Southwest, having a radius of 25.00 feet; thence Southerly along the arc of said curve, through a central angle of 70 degrees 31' 44", a distance of 30.77 feet to the point of tangency of said curve; thence South 01 degrees 15' 40" West, along the West line of a 50.00 foot County right-of-way as recorded in Official Record Book 224, Page 389, and Official Record Book 3594, Page 593, a distance of 244.42 feet to a point in the North line of said 50.00 foot right-of-way; thence North 89 degrees 17' 20" West, along said North line a distance of 181.66 feet to a point in the West line of the Northeast 1/4 of the Northwest 1/4 of the Southwest 1/4 of said Section 3; thence North 00 degrees 56' 12" East, along said West line, a distance of 306.57 feet to the POINT OF BEGINNING of the herein described parcel of land.

TOGETHER WITH PARCEL TWO:

A parcel of land lying in the Southwest 1/4 of Section 3, Township 41 South, Range 42 East; said parcel being more particularly described as follows:

From the Northwest corner of the Southwest 1/4 of said Section 3, bear South 89 degrees 24' 50" East, along the North line of said Southwest 1/4, a distance of 888.51 feet; thence South 01 degrees 15' 40" West, a distance of 68.38 feet to a point in the South right-of-way line of State Road 706 and the POINT OF BEGINNING of the herein described parcel of land, said South right-of-way line being 70.00 feet South of (as measured at right angles to) the centerline of State Road 706, as said South right-of-way line and said centerline are shown on Department of Transportation Drawing Sheet 2 of 5, Section No. (9375-110) 9362; thence North 88 degrees 22' 25" East, along said South line, a distance of 747.91 feet to a point in the West line of Jupiter Gardens, as recorded in Plat Book 43, Page 146; thence South 01 degrees 25' 22" West, along said West line, a distance of 400.57 feet; thence south 88 degrees 22' 25" West, along a line 400.00

feet South of and parallel with the South right-of-way line of State Road 706, a distance of 746.78 feet to a point in the East line of a 50.00 foot County right-of-way as recorded in Official Record Book 224, Page 389, and Official Record Book 3594, Page 593; thence North 01 degrees 15' 40" East, along said East line, a distance of 400.51 feet to the POINT OF BEGINNING of the herein described parcel of land, located on the south side of Indiantown Road (S.R. 706), approximately .2 mile west of Central Boulevard, in a CG-General Commercial Zoning District, was approved as advertised, subject to the following conditions:

1. Petitioner shall comply with all previously approved conditions of Petition No. 86-43.
2. Prior to site plan certification the site plan shall be revised to indicate the required terminal island and associated tree planting.
3. Security lighting shall be directed away from nearby residences.
4. The side facade(s) of the center shall be given architectural treatment consistent with the front of the center to avoid an incompatible industrial appearance impact upon future/nearby residential development.
5. All mechanical and air conditioning equipment shall be roof mounted and screened with parapets or be contained within the enclosed loading and service area.
6. No storage or placement of any materials, refuse, equipment or accumulated debris shall be permitted in the rear of the center.
7. No off-premise signs shall be permitted on the site.
8. 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.
9. Since sewer service is available to the property, septic tank shall not be approved for use on said property.
10. Since water service is available to the property, a potable water well shall not be approved for use on said property.

11. The three (3) parking stalls located in the northwestern portion of the site shall be labeled "car wash patrons only". These stalls shall be designated by pavement markings.

Commissioner Marcus, 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
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Aye
Kenneth M. Adams	--	Aye

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

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK

