

RESOLUTION APPROVING ZONING PETITION NO. **89-119**  
SPECIAL EXCEPTION PETITION OF DALE W. ALEXANDER

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 have been satisfied; and

WHEREAS, Petition No. **89-119** was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on November 30, 1989; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, 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, sitting as the Zoning Authority, made the following findings of fact:

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations.

WHEREAS, 402.5 of the Zoning Code requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. **89-119**, the petition of DALE W. ALEXANDER, BY KIERAN J. KILDAY, AGENT, for a SPECIAL EXCEPTION TO PERMIT A PLANNED INDUSTRIAL DEVELOPMENT on a parcel of land lying in the West 245.00 feet of the North 1/2 of the East 1/2 of Tract 2, Block 6, Palm Beach Farms Company Plat No. 3, Plat Book 2, Pages 45 through 54, Section 27, Township 43 South, Range 42 East, being located on the South side of Belvedere Road, approximately .2 mile East of Golden Lakes Boulevard (75th Avenue North) in a IL-Light Industrial Zoning District, was approved on November 30, 1989 as advertised, subject to the following conditions:

1. Prior to site plan review submittal, the site plan shall be amended to indicate:
  - a. An upgraded landscape buffer along the northern property line which includes twelve (12) foot tall canopy trees planted twenty (20) feet on center and a thirty-six (36) inch hedge.
  - b. Landscape alternative No. 3 shall be provided along the east, south and west boundaries.
2. Off-premise signs shall not be permitted on site.

3. Parking shall not be permitted in landscape areas or rights-of-way. Parking shall be permitted only in designated parking stalls.
4. Security lighting shall be low intensity and directed away from surrounding residences through the use of house side shields. Lighting fixtures shall not exceed twelve (12) feet in height.
5. No loudspeakers or public address system shall be permitted on site.
6. All native and desirable exotic vegetation within required landscaped buffers shall be preserved and appropriate protective barriers installed. Conformance to this condition shall be verified by the Zoning Division prior to commencing vegetation removal.
7. 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.
  - a. Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site.
9. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water.
10. The owner, occupant or tenant of the facility shall participate in an oil recycling program which insures proper re-use or disposal of waste oil.
11. No portion of this project is to be approved on well and/or septic tank, existing or new. Existing septic tanks are to be abandoned in accordance with Chapter 10D-6 F.A.C.
12. The Developer shall provide discharge control and treatment for 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 the stormwater runoff generated by a three (3) year-one (1) hour storm with a total rainfall of 3 inches as required by the Permit Section, **Land Development Division**. In the event that the subject site abuts a Department of Transportation maintained roadway, concurrent approval from the Florida Department of Transportation will also be required. 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.
13. The Developer shall design the drainage system such that drainage from those areas which may contain

hazardous or undesirable waste shall be separate from stormwater runoff from the remainder of the site.

14. 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 \$1,980.00 (36 trips X \$55.00 per trip).
15. In addition the Developer shall contribute the amount of \$145.00 as established in Article V Section 3 (Insignificant Project Standard) of the Traffic Performance Standards Code. These funds of \$145.00 plus the Impact Fee shall be paid prior to the issuance of the first Building Permit.
16. The property owner shall convey to the Lake Worth Drainage District the North 50 feet of the West 245 feet of the North 1/2 of the East 1/2 of Tract 2, Block 6 of Palm Beach Farms No. 3 for the required right-of-way for Lateral Canal No. 3, 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.
17. Failure to comply with any conditions of approval may result in the denial or revocation of a building permit; the issuance of a stop work order; the denial of a Certificate of Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer-owner, commercial-owner, lessee, or user of the subject property. Appeals from such action may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Palm Beach County Zoning Code.

Commissioner Marcus moved for approval of the Resolution.

The motion was seconded by Commissioner Roberts and, upon being put to a vote, the vote was as follows:

|                          |    |     |
|--------------------------|----|-----|
| Carol J. Elmquist, Chair | -- | AYE |
| Karen T. Marcus          | -- | AYE |
| Carol Roberts            | -- | AYE |
| Ron Howard               | -- | AYE |
| Carole Phillips          | -- | AYE |

The Chair thereupon declared the resolution was duly passed and adopted this 22nd day of May, 1990.

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