

RESOLUTION NO. R-90- 1279

RESOLUTION APPROVING ZONING PETITION NO. 77-192(A)
SPECIAL EXCEPTION PETITION OF SUPER SHOPS, INC.

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. 77-192(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 25, 1990; 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. 77-192(A), the petition of SUPER SHOPS, INC., for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR AN AUTOMOTIVE PAINT AND BODY SHOP MECHANICAL REPAIR AND RUSTPROOFING FACILITY TO DECREASE THE LAND AREA on a parcel of land lying on the East 250.00 feet of the South 136.00 of the North 1/4 of the Northeast 1/4 of the Northeast 1/4 of the Southwest 1/4 of Section 36, Township 43 South, Range 42 East lying West of the right-of-way of Military Trail and being located on the West side of Military Trail, approximately .4 mile North of Southern Boulevard in the CG-General Commercial Zoning District, was approved on January 25, 1990 as advertised, subject to the following conditions:

1. The petitioner shall comply with all previous conditions of approval unless expressly modified herein.
2. Prior to site plan certification, the site plan shall be revised to reflect all old Landscape Code (Ordinance #73-5) requirements. Replanting to minimum code standards shall take place within 90 days of approval of this petition.

3. There is a potential for hazardous materials to be stored on site. An Affidavit of Notification must be executed by site plan certification.
4. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water.
5. 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.

Commissioner Marcus moved for approval of the Resolution.

The motion was seconded by Commissioner Howard 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 7th day of August, 1990.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

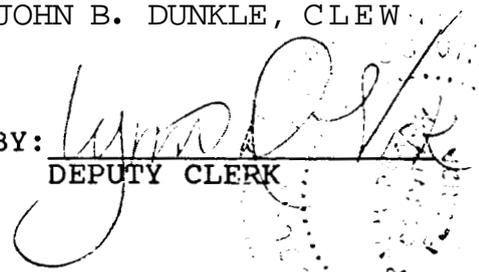
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLEW

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK