

RESOLUTION NO. R-83-987

RESOLUTION APPROVING ZONING PETITION 83-59, Special Exception

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. 83-59 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 26th May 1983; 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, the Board of County Commissioners made the following findings of fact:

1. The proposed Special Exception is permitted by the Comprehensive Plan and Zoning Code.
2. Provided that the site plan is amended to meet Zoning Code property development regulations, the proposal would be consistent with County requirements.
3. The proposed development would be appropriate to this commercial strip along Military Trail.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 26th day May 1983, that Petition No. 83-59 the The petition of RAYMOND BARTLETT By Charles Ahrens, Agent, for a SPECIAL EXCEPTION TO ALLOW THE EXPANSION OF AN EXISTING AUTOMOBILE REPAIR AND TIRE SALES SERVICE, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 78-173 on the North 150 feet of the West 224 feet of the North 1/2 of the South 1/2 of Lot 6, Block 4, Section 12, Palm Beach Plantations, in Section 12, Township 44 South, Range 42 East, as recorded in Plat Book 10, Page 20, less the right-of-way for Military Trail, and less a 7 foot wide strip of land along the East side of Military Trail for road right-of-way purposes. Said part lying within

60 feet of the baseline of survey according to the right-of-way map of Section 93590-2603, State Road 809, as filed in Map Book 3, at Pages 72 through 76, less the West 53 feet thereof, a part of said baseline being more particularly described as follows: Beginning at the Southeast corner of the Southwest 1/4 of Section 12, Township 44 South, Range 42 East, run North 02° 05' 54" East a distance of 4786.09 feet to the beginning of a curve to the left; thence Northerly along said curve having a central angle of 03° 11' 30" and a radius of 21,485.94 feet, a distance of 1196.87 feet to the end of said curve; thence North 01° 05' 36" West a distance of 2068.97 feet to the Northeast corner of the Southwest 1/4. Said property located on the east side of Military Trail (S.R.809), approximately .2 mile south of Forest Hill Boulevard in a CG-General Commercial District was approved as advertised subject to the following conditions:

1. The proposed site plan shall be redesigned to provide required parking or the size of the proposed expansion shall be reduced so that parking requirements can be met on site and shall eliminate all outdoor repair.
2. This development must retain onsite 85% of the storm water runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.
3. The developer shall contribute One Thousand Five Hundred Dollars (\$1,500.00) toward the cost of meeting this project's direct and identifiable traffic impact, to be paid at the time of the building permit.

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

Peggy E. Evatt, Chairman	--- AYE
Ken Spillias, Vice Chairman	--- AYE
Dennis P. Koehler, Member	--- ABSENT
Dorothy Wilken, Member	--- AYE
Bill Bailey, Member	--- AYE

The foregoing resolution was declared duly passed and adopted this 30th day of August, 1983, confirming action of 26th May 1983.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS:

JOHN B. DUNKLE, CLERK

BY: *Lisa Cropp*
Deputy Clerk

