

RESOLUTION NO. R-83-202

RESOLUTION APPROVING ZONING PETITION 82-147, 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. 82-147 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28 October 1982; 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 proposal would be in harmony and compatible with the present and future development of the area concerned

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 28th day of October, 1982, that Petition No. 82-147 the petition of BOCA DEL MAR ASSOCIATES, By Lavern Mercer, Lessee, for a SPECIAL EXCEPTION TO ALLOW WHOLESALE CHEMICALS on land being in Section 21, Township 47 South, Range 42 East, shown hereon as Del Mar Plaza Sub-Division No. 1, being more particularly described as follows: a portion of Tract 11 of Boca Del Mar No. 5, as recorded in Plat Book 30, Pages 127-128, being more particularly described as follows: beginning at the Southeast corner of said Tract 11; thence North $00^{\circ}29'33''$ West, along the East line of said Tract 11 and the West right-of-way line of Powerline Road, a distance of 843.67 feet; thence South $89^{\circ}30'27''$ West, a distance of 209.03 feet; thence North $00^{\circ}29'33''$ West, a distance of

209.03 feet to a point on the North line of said Tract 11; thence South 89°30'27" West, along said North line, a distance of 791.29 feet; thence South 00'29'33" East, a distance of 1095.23 feet to a point on the South line of said Tract 11; thence North 89°50'07" East, along said South line, a distance of 614.34 feet; thence North 82°42'19" East, a distance of 388.73 feet to the Point of Beginning. Said property located on the south side of Palmetto Park Circle North, approximately 263 feet west of Powerline Road in a CG-General Commercial. District, was approved as advertised subject to the following conditions:

1. Developer shall provide curbing to contain volume of each tank to insure that the different chemicals do not mix should a spill occur.
2. Developer agrees that use of the tanks will be accessory to the retail store only.
3. Developer shall submit revised site plan providing for the following:
 - hatching out of four parking stalls immediately surrounding tank storage,
 - inclusion of steel bollards to prevent accidental striking by automobiles or service trucks,
 - sufficient screening and enclosing of subject site to prevent visual eyesore and access by unauthorized personnel.

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

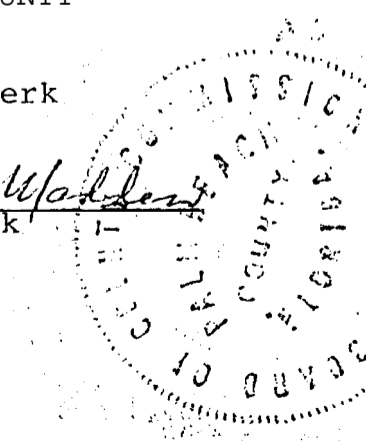
Bill Bailey, Member	Absent
Dennis Koehler, Member	Aye
Peggy B. Evatt, Vice Chairman -	Aye
Frank H. Foster, Member	Aye
Norman R. Gregory, Chairman -	Absent

The foregoing resolution was declared duly passed and adopted this 8th day of February, 1983, confirming action of 28 October 1982.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Antonia Blalock*
 Deputy Clerk



APPROVE AS TO FORM
 AND LEGAL SUFFICIENCY

John Cabett
 County Attorney