

RESOLUTION NO. R-83-999

RESOLUTION APPROVING ZONING PETITION 83-75, 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.. 83-75 was presented to the Board of county Commissioners of Palm Beach County at its public hearing conducted on 27th 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 **recommendatons** 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 consistent with the Land Use Plan designation and if appropriate measures are taken to address disposal of oil, grease, and other chemical wastes, with Mandatory Performance Standards.
2. The proposed use would not have any adverse impacts upon adjoining properties.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 27th day May 1983, that Petition No. 83-75 the **petition** of ALPHONSE DELLA DONNA AND ROBERT M. **STURRUP** By Kieran J. Kilday, Agent, for a SPECIAL EXCEPTION TO ALLOW AN AUTOMOBILE SERVICE STATION, INCLUDING A RESTAURANT AND LOUNGE on a tract of land in Section 14, Township 41 South, Range 40 East, more particularly described as follows:

From a point of the intersection of the East line of Section 14, Township 41 South, Range 40 **East**, with the Northeasterly right-of-way of State Road 710, as said right-of-way line is shown on a map in Road Plat Book 2, Page 149 to 153 inclusive, run Northwesterly along right-of-way line a distance of 497.28 feet 'to Point of Beginning and

the Southeast corner of a Tract of land hereinafter described; thence continue Northwesterly along said right-of-way line a distance of **150°** feet; thence Northerly along a line parallel to the East line of said Section 14, which makes an angle with the preceding course measured from Southeast through East to North **126° 26' 50"**, a distance of 361.01 feet; thence Southeasterly and parallel to said right-of-way line a distance of 150 feet; thence Southerly and parallel to the East line of Section 14, a distance of 361.01 feet to the Point of Beginning, and a non-exclusive easement for ingress and egress purposes to the following described property:

Tract of land in Section 14, **Township** 41 South, Range **40** East more particularly described:

From the point of the intersection of the East line of said Section 14, Township 41 South, Range 40 East, with the Northeasterly right-of-way line of State Road 710 as the said right-of-way is shown on the map in Road Plat Book 2, Page 149 to 153 inclusive, run Northwesterly along the right-of-way line a distance of 647.28 feet to a Point of Beginning, and the Southeast corner of a Tract of land hereinafter described; thence continue Northwesterly along said right-of-way line a distance of **50** feet; thence Northerly along a line parallel to the East line of Section 14, which makes an angle with the preceding course measured from the Southeast through East to North of **126° 26' 50"** a distance of 50 feet; thence Southeasterly and parallel to the right-of-way line a distance of 50 feet; thence Southerly and parallel to the East line of Section 14, a distance of 50 feet to the Point of Beginning. Said property located on the north side of S.R.710 (Beeline Highway), approximately 7 miles west of U.S.441 (**S.R.7**) and approximately 3 **1/2** miles northwest of Donald Ross Road in an IL-Light Industrial District was approved as advertised subject to the following conditions:

1. The development must retain **onsite** 85% of the storm water runoff generated by a three (3) year storm per requirements **ofthe** Permit Section, Land Development Division.
2. The developer shall contribute Seven Hundred and Fifty Dollars (**\$750.00**) **toward** the cost of meeting this project's direct and identifiable impact, to be paid at the time of **issuance** of the building permit.
3. The developer shall take reasonable precautions during the development of this property to insure that fugitive **particulates** (dust particles) from this project do not become a nuisance to neighboring properties.

4. The developer shall take necessary measures during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters.
5. Only toilets and accessory lavatories may be connected to the project's septic system. Gasoline spills, grease, solvents, and other chemical wastes must be disposed of in accordance with applicable environmental regulations.
6. A revised site plan conforming to applicable access dimension, landscaping and stacking requirements shall be submitted prior to site plan certification.
7. Interior configuration of the building shall be submitted to the Health Department for approval prior to site plan certification.

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:

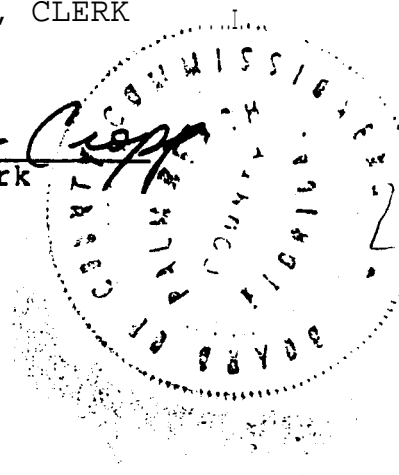
Peggy E. Evatt, Chairman	-- AYE
Ken Spillias, vice Chairman	-- AYE
Dennis P. Koehler, Member	-- ABSENT
Dorothy Wilken , Member	-- AYE
Bill Bailey, Member	-- ABSENT

The foregoing resolution was declared duly passed and adopted this **30th** day of August , **1983** , confirming action of **27th May 1983**.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Lisa Cropp
Deputy Clerk



APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John Bartlett
County Attorney