

RESOLUTION NO. R- 83-1051

RESOLUTION APPROVING ZONING PETITION 83-39, Special Exception
to amend Petition No. 76-30

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. 83-39 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24th March 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 consistent with the Comprehensive Plan Performance Standards and with the Industrial Park in which this property is located.
2. The proposed development can be accommodated to the subject site while meeting all property development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 24th day of March 1983, that Petition No. 83-39 the petition of SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY, By Peter L. Schneider, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 76-30 TO INCLUDE A PUBLIC AND PRIVATE UTILITY SERVICE AND ACCESSORY BUILDINGS AND STRUCTURES on Lots 12 and 13, Block 3, South Congress Industrial Center, in Section 1, Township 47 South, Range 42 East, as recorded in Plat Book 33, Pages 45 and 46, subject to the interest of Lake Worth Drainage District in the South 15.00 feet of the subject property conveyed to it for right-of-way purposes as set forth in

the Quit-Claim Deed from Stephen J. Bodzo, Trustee, to Lake Worth Drainage District dated May 25, 1977 and recorded June 6, 1977 at 11:25 A.M., in Official Records Book 2687, Page 1621, and subject to the matters shown on the Plat of South Congress Industrial Center as recorded in Plat Book 33, Pages 45 and 46. Said property located on the south side of South Rogers Circle, approximately .6 mile east of Military Trail (S.R. 809) in an IT,-Light Industrial District, was approved as advertised subject to the following conditions:

1. Petitioner shall revise the site plan to relocate required landscape area outside of the utility easements.
2. The developer shall save and relocate existing oak and sabal palm **trees** into required landscape areas.
3. This development must retain **onsite** 85% of the stormwater runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.
4. Developer shall contribute Four Thousand Three Hundred Dollars (\$4,300.00) toward the cost of meeting this project's direct and identifiable impact, to be paid at the time of the building permit.
5. 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 and nearby properties.
6. The developer shall take necessary measures during the development of this property to prevent pollutant run-off to neighboring and nearby surface waters.

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

Peggy E. Evatt, Chairman	- ABSENT
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 13th day of September, 1983, confirming action of 24th March 1983.

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

JOHN B. DUNKLE, Clerk

By: Maude M. [Signature]
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
County Attorney

