

RESOLUTION NO. R- 83-1427

RESOLUTION APPROVING ZONING PETITION . 83-113, 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. 83-113 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 25th August 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. Subject petition is consistent with the requirements of the Comprehensive Plan and Zoning Code.
2. Provided appropriate noise mitigation measures are employed, proposed development would not have an adverse impact upon surrounding properties.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 25th day August 1983, that Petition No. 83-113 the petition of KAB INVESTORS, INC. , By Allen Kern, Agent, for a SPECIAL EXCEPTION TO ALLOW AN AUTO PAINT AND BODY SHOP INCLUDING A MECHANICAL REPAIR FACILITY on the North 1/2, of the Southeast 1/4, of the Northeast 1/4, of the Southeast 1/4 of the Southwest 1/4 in Section 24, Township 44 South, Range 42 East, less the East 53 feet thereof for road right-of-way. Said property located on the west side of Military Trail (S.R. 809), approximately .2 mile north of Lake Worth Road (S.R. 802) in a CG-General Commercial District was approved as

advertised subject to the following conditions:

1. Prior to site plan certification, the developer shall enter into a written agreement for utility services with the Palm Beach County Utilities Department.
2. Prior to the issuance of a Certificate of Occupancy, the developer shall construct a six-foot high masonry wall along the project's west property line supplemented by a ten foot wide landscape buffer including canopy trees planted at twenty feet on center.
3. Service bays shall be oriented toward either the east or south. Unless an enclosed service court is provided no openings will be permitted in the north or west building walls except for emergency fire exits. In addition, any air compressor equipment shall be contained within an enclosed building.
4. The site plan shall be reconfigured to permit two-way traffic movements within this site.
5. This development shall retain onsite 85% of the storm water runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.
6. The developer shall relocate the proposed driveway to the north property line.
7. The developer shall construct a left turn lane, south approach, on Military Trail at the first median opening north of the site.
8. The developer shall contribute Three Thousand Six Hundred Dollars (\$3,600.00) toward the cost of meeting this project's direct and identifiable impact, to be paid at the time 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.
10. The developer shall take necessary measures during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters.
11. Hours of operation shall be limited to the hours between 7:30 A.M. to 6:00 P.M.

Commissioner Wilken , moved for approval ,

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

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

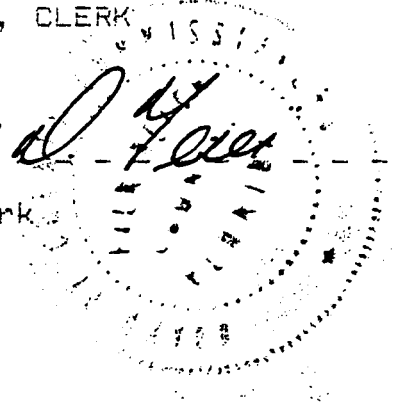
The foregoing resolution was declared duly passed and adopted this 8th day of November, 1983, confirming action of 25th August 1983.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: \_\_\_\_\_

Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

\_\_\_\_\_  
*John Corbett*  
County Attorney