

RESOLUTION NO. R- 84-54

'RESOLUTION APPROVING ZONING PETITION 76-105(A), 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

WHEREFIS, Pet it ion No. 76-105(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 29th September 1903; 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 addition of 2,181 s. f. of retail space is consistent with the requirements of the Comprehensive Plan.**
- 2. With significant improvements to the site, this additional commercial space could be accommodated to the site in substantial compliance with the requirements of the Zoning Code and in a manner compatible with adjoining thoroughfares and resi denti al areas.**

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORID& assembled in regular session this 29th day September 1983, that Petition No. 76-105(A) the petition of EASTERN PETROLEUM CORPORATION By Richard Wensing, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 76-105 TO EXPAND FIN EXISTING QUTOMOBILE SERVICE STATION being all of Lot B, Hilltop Park, in Section 17, Township 42 South, Range 43 East, as recorded in Plat Book 26, page 138, less the following described parcels; the Southerly 10.00 feet of Lot B in Hilltop Park, as Recorded in Plat Book 26, Page 138.

AND

That part of said Lot B included in the external area formed by a 25.00

foot radius arc which is tangent to the Easterly line of said Lot B and tangent to a line 10.00 feet Northerly of and parallel with the Southerly line of said Lot B. Said on property located on the northwest corner of the intersection of Northlake Boulevard (S. R. 809A), and Mt. Holly Drive, being bounded on the north by Mango Lane in a CG-General Commercial District was approved as advertised subject to the following conditions:

1. 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 Divisions.
2. The developer shall contribute \$1,219.00 (at the rate of \$1.25 per square foot of commercial floor area) toward the cost of meeting this project's direct and identifiable impact, to be paid at the time of issuance of a building permit.
3. Prior to Site Plan Certification, the site plan shall be amended to provide for the following:
 - a. A six-foot high demountable concrete fence along the west and north property boundaries supplemented by trees and shrubs along Mango Lane.
 - b. Only one turnout onto Mt. Holly Drive,
 - c. A six-foot high enclosure around the dumpster location.
 - d. A standard 5 foot sidewalk along the property's north and east property lines.

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

The foregoing resolution was declared duly passed and adopted this 10th day of Jan. , 1984 , confirming action of 29th September 1983 .

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

Charlene Harris
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

John Batlett
County Attorney