

RESOLUTION NO. R-84-504

RESOLUTION APPROVING ZONING PETITION 76-177(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

WHEREAS, Petition No. 76-177(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 22nd December 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 requirements of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 22nd day December 1983, that Petition No. 76-177(A) the petition of RAYMOND W. RENAUD By Kieran J. Kilday, Agent, for a SPECIAL EXCEPTION TO ALLOW AN AUTOMOTIVE REPAIR AND TIRE FACILITY on the West 245 feet, of the West 1/2 of the North 1/2 of Lot 6, Block 4, Plat No. 1 of Palm Beach Plantations Model Land Company Subdivision in Section 12, Township 44 South, Range 42 East, as recorded in Plat Book 10, Page 28; less road right-of-ways for Military Trail & Barbridge Road; together with the East 125 feet of the West 370 feet of the North 1/4 of said Lot 6, Block 4, Plat No. 1 of Palm Beach Plantation Model Land Company Subdivision; less road right-of-way for Barbridge Road, Lying in Section 12, Township 44 South, Range 42 East. Said property located on the northeast corner of the intersection of Military Trail (S.R. 809) and Barbridge Road, approximately .1 mile South of Forest Hill Boulevard in an CG-General Commercial District was approved as

advertised subject to the following conditions:

1. This development shall retain onsite 25% of the storm-water runoff generated by a three (3) year storm per requirements of the permit section, Land Development Division.
2. Within ninety (90) days from this approval, the property owner shall convey for the ultimate right-of-way for:
 - a. Barbridge Road, 25 feet from the centerline, approximately an additional 10 feet, and
 - b. Military Trail, 60 feet from the centerline, approximately an additional 7 feet.

All Conveyances must be accepted by Palm Beach County prior to issuance of the Building Permit.

3. The developer shall construct Barbridge Road from Military Trail, east to the project's property line, concurrent with onsite paving and drainage improvements, pursuant to a paving and drainage permit issued from the Office of the County Engineer.
4. The developer shall contribute Seven Thousand Twenty-Five Dollars (\$7,025.00) toward the cost of meeting **this** project's direct and identifiable **impact**, to be paid at the time of the issuance 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 properties.
6. The developer shall take necessary measures **during** the development of **this** property to prevent pollutant runoff to neighboring and near-by surface waters.
7. Only **toilets** and lavatories may be connected to the **septic system**. No floor drains will be **permitted**. Any **chemical wastes** generated by this use must be **disposed** of in accordance with Health Department specifications.
8. Prior to certification, the site plan shall be amended to reflect the following:
 - a. preservation of the **existing** significant pine tree within the landscape strip along **Hal-bridge Road**,
 - b. a **wing** wall extension of the east building wall to screen the East side at the **loading** area.
 - c. provision of the **required** six foot high masonry wall along the East 77 feet of the North and South property lines and along the entire east property line. **This wall shall be supplemented** by trees planted 20 feet on center and vines planted along the Barbridge Road face of the wall.
9. Hours of operation shall be **limited** to the period between 7:00 a. m. and 9:00 p. m.
10. There shall be no outside repairs, storage of tires, equipment, parts, or inoperative vehicles.

Commissioner Koehler, moved for the approval of the petition.

The motion was seconded by Commissioner Wilken .

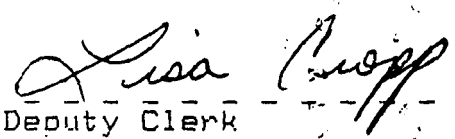
and upon being put to a vote, the vote was as follows:

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

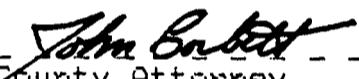
The foregoing resolution was declared duly passed and adopted this 17th day of April, 1984 , confirming action of 22nd December 1983.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney