

RESOLUTION NO. R- 84-1848

RESOLUTION APPROVING ZONING PETITION 84-84, 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. 84-84 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 30 th of July 1984; 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 proposal is consistent with the requirements of the Zoning Code and Comprehensive Plan.
2. There are adjacent residential uses and additional buffer requirements must be imposed to mitigate negative impacts on those uses.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 30th of July 1984, that Petition No. 84-84 the petition of GRP ENTERPRISES By Irving Richie, Agent, for a SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT, INCLUDING AN AUTO SERVICE CENTER on a parcel of land in Section 25, Township 44 South, Range 42 East, said parcel being more particularly described as follows:

The West 1/2 of the Northwest 1/4 of the Northeast 1/4 of the Northeast 1/4 less the North 100.0 feet and the West 30.0 feet thereof. Said property located on the south side of Lake Worth Road (S.R.802) approximately .2 mile east of Military Trail (S.R.809) in a CG-General Commercial District was approved as advertised subject to

the following conditions:

1. Prior to certification by the Site Plan Review Committee, the site plan shall be modified to reflect:

- a) Along the eastern boundary of the site, from the southern property line extending northward for 450' the required 6' masonry wall shall be supplemented by canopy trees 8' to 10' in height planted 20' on center.

2. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year one hour storm per requirements of the Permit Section, Land Development Division.

3. The developer shall construct concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer a right turn lane, west approach on Lake Worth Road at both of the project's entrance roads.

4. The developer shall pay a fair share fee in the amount and manner required by the Fair Share Contribution for Road Improvements Ordinance as it presently exists or as it may from time to time be amended.

Presently the fair share fee for this project is \$50,000. If the Fair Share Contribution for Road Improvements Ordinance is amended to increase the fair share fee, this amount shall be credited towards the increased fair share fee.

5. Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.

6. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.

7. Any underground fuel storage tanks shall be installed to provide maximum protection against leakage or spillage due to corrosion, breakage, structural failure, or other means. Acceptable designs for tank construction include cathodically protected steel, glass fiber reinforced plastic, double-walled steel or plastic; or other equivalent design. The design and installation plans will be submitted to the Health Department for approval prior to installation.

8. The owner shall participate in a oil recycling program to ensure proper disposal of any waste oil from the auto service center.

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:

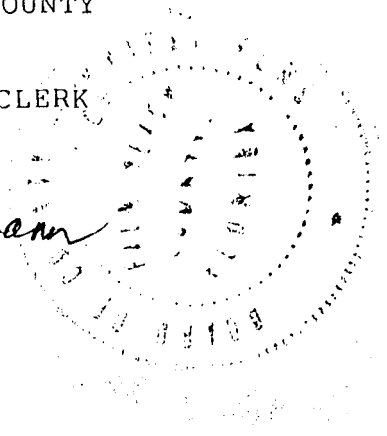
Ken Spillias, Chairman	-- AYE
Dorothy Wilkens, Vice Chairman	-- AYE
Peggy Eva t t, Member	-- ABSENT
Dennis P. Koehler, Member	-- AYE
Bill. Bailey, Member	-- AYE

The foregoing resolution was declared duly passed and adopted this day of DEC, 11 1984, confirming action of the 30th of July 1984.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Donna McWilliam
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Stanley Sprague
County Attorney