

RESOLUTION NO. R- 84-1854

RESOLUTION APPROVING ZONING PETITION 84-105, 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. 84-105 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 30th 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 Comprehensive Plan and Zoning Code.

WHEREAS, this petition was approved as amended to include a Special Exception for a Planned Industrial Development; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 30th day July, 1984, that Petition No. 84-105 the petition of ARIEL GANT HAYS By William N. and Candace E. Rightsell, Agents, for a SPECIAL EXCEPTION TO ALLOW A PLANNED INDUSTRIAL DEVELOPMENT on Tract 84, Model Land Company Subdivision of Section 20, Township 44 South, Range 43 East, as recorded in Plat Book 5, Page 79, Less the West 132 feet; and Less the East 56 feet of the West 188 feet of the South 250 feet; and Less the East 100 feet of the South 75 feet of the North 314 feet thereof. Said property located on the northside of 4th Avenue North, approximately .1 mile west of Boutwell Road was approved as amended subject to the following

conditions:

1. The developer shall relocate and/or: preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measures shall also be taken to protect any individual trees and/or preservation areas during site clearing and construction.
2. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year one hour storm peak requirements of the Permit Section, Land Development Division.
3. The property owner shall convey for the ultimate right of way of 4th Avenue North, 35 feet from centerline approximately an additional 20 feet within 90 days of approval.; conveyance must be accepted by Palm Beach County prior to issuance of first building permit.
4. Any hazardous or toxic waste generated on the site shall be disposed of as required by law.

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:

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

The foregoing resolution was declared duly passed and adopted this day of DEC, 11 1984, confirming action of 30th 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 J. Jorgensen
County Attorney