

RESOLUTION NO. R-84-768

RESOLUTION APPROVING ZONING PETITION 82-166(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. 82-166(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 26th January 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 proposed development 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 26th day January 1984, that Petition No. 82-166(A) the petition of HUNT CLEMENT LAND TRUST, FIRST BANK AND TRUST OF PALM BEACH COUNTY By Lee Starkey, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A PLANNED COMMERCIAL DEVELOPMENT, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 82-166(A), TO INCLUDE A GASOLINE SERVICE STATION on all of Parcel A, less the East 735 feet thereof (as measured along the North line of said parcel "A") and less the North 275 feet thereof (as measured at right angles to the North line of said parcel "A") of Plat No. 1, Central Industrial Park in the West 1/2 of Section 30, Township 42 South, Range 43 East, as recorded in Plat Book 30, Page 37. Said property located on the property located on the northeast corner of the

intersection of Blue Heron Boulevard and Central Industrial Drive in a CG-General Commercial District was approved as advertised subject to the following conditions:

1. This development shall retain onsite the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 73-4, as amended.
2. The property owner shall convey for the ultimate right of way of Blue Heron Boulevard, 60 feet from centerline approximately an additional 7 feet within 90 days of approval; conveyance must be accepted by Palm Beach County prior to issuance of first Building Permit.
3. Access to the two parcels which front Blue Heron Boulevard shall be limited to one joint-access from Blue Heron Boulevard.
4. The developer shall contribute Six Thousand, Six Hundred & Fifty Dollars (\$6,650.00) to be paid at the time of issuance of the Building Permit for the proposed Gasoline Service Station and Thirteen Thousand Two hundred and Eighty Eight Dollars (\$13,288.00) to be paid at the time of issuance of the building permit for the proposed Restaurant toward the cost of meeting this project's direct and identifiable traffic impact.
5. Prior to final site plan approval, the developer shall enter into a contract for utility services with the City of Riviera Beach.
6. The developer shall contribute a pro-rata share toward the cost of signalization (25%), of the intersection of Central Industrial Drive and Blue Heron Boulevard, if said signalization is warranted within the next five years. A performance bond upon which the County may call at any time for no longer than five years shall be posted prior to the issuance of building permits to cover this cost.
7. The developer shall construct concurrent with on-site paving and drainage improvements pursuant to a permit from the Office of the County Engineer:
 - a. Lengthening of the existing left turn lane west approach on Blue Heron Boulevard at Central Industrial Drive per the County Engineer's approval.
 - b. Left turn lane north approach on Central Industrial Drive at the project entrance road.
8. 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.
9. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
10. Prior to site plan certification, the site plan shall be amended to reflect the following:
 - a. A joint access easement to have been recorded in the Official Record Books of Palm Beach County implementing condition No. 3 above.
11. The 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, steel clad with 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 issuance of building permits.
12. The entrance closest to Blue Heron Boulevard on Central Industrial Drive will be constructed as a ONE-WAY IN ENTRANCE ONLY.

Commissioner Bailey , 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:

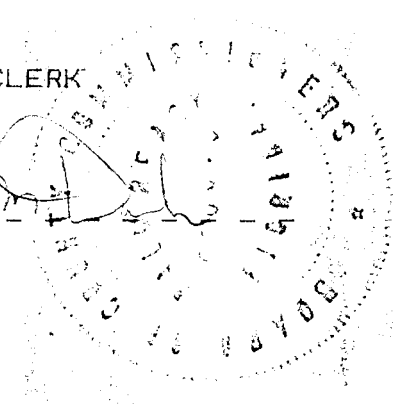
Ken Spillias, Chairman	---	AYE
Dorothy H. Wilken, Vice Chairman	---	AYE
Peggy B. Evatt	---	ABSENT
Dennis P. Koehler	---	AYE
Bill Bailey	---	AYE

The foregoing resolution was declared duly passed and adopted this 12th day of June , 1984 , confirming action of 26th January 1984.

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