

RESOLUTION NO. R-85-269

RESOLUTION APPROVING ZONING PETITION 77-10 (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. 77-10(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 1st of November 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. The subject property is directly linked with the abutting Bruce King automobile dealership property to the south by a cross access/parking agreement on file with the county.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 1st of November 1984, that Petition No. 77-10(A) the petition of E. BRUCE AND PATRICIA N. KING By Robert Kuoppola, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A COMMERCIAL USED AUTOMOBILE AND TRUCK SALES FACILITY, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 77-10, TO ALLOW A NEW AUTOMOBILE AND TRUCK SALES FACILITY AND TO INCREASE THE APPROVED SQUARE FOOTAGE OF THE BUILDING on a parcel of land in Section 17, Township 42 South, Range 43 East, more particulary described as follows:

Beginning at a point in the Westerly right-of-way line of State Road No. 1 (formerly State Road No. 176) said Westerly right-of-way line

being herein assumed to be a line parallel to, and 40 feet Westerly from the centerline of said road, and also being parallel to and 7 feet Westerly from the Westerly right-of-way line of said road, as shown on plat of Rivard Subdivision on file in Plat Book 21, at Page 12, and said point of beginning being 690 feet Northerly measured along said right-of-way line, from the south line of said Section 17; thence Northerly along said Westerly right-of-way line, 120 feet; thence Westerly at right angles to the preceding course 266.45 feet, more or less, to a point in the Westerly line of the Southeast 1/4 of the Southwest 1/4 of said Section 17; thence Southerly along the Westerly line 77.70 feet, more or less, to its intersection with the Easterly line of the Florida East Coast Railway Company's right-of-way; thence Southerly along said Easterly right-of-way line, 48.06 feet, more or less, to a point in a line parallel to, and 120 feet Southerly from, measured at right angles to, the North line of the herein described parcel; thence Easterly along said parallel line, 295.76 feet, more or less to the Point of Beginning, less the Easterly 15 feet thereof for additional State Road Alternate A1A right-of-way, also less:

That part Of Tract "A", shown as "Not included" in the plat of Rivard Subdivision as recorded in Plat Book 21, Page 12, said part being more particularly described as follows:

Commence at the Southeast corner of the Southwest 1/4 of said Section 17; thence North 88 degrees 04'55" West along the South line of said Section 17 a distance of 733.66 feet to a point on the Baseline of Survey for State Road Alternate A1A; thence North 20 degrees 25'19" West along said baseline of survey for State Road Alternate A1A a distance of 99.67 feet; thence South 69 degrees 34'41" West a distance of 111 feet to the Point of Beginning; thence South 88 degrees 04'55" East a distance of 24.54 feet to the beginning of a curve concave Northwesterly; thence Easterly, Northeasterly and Northwesterly along said curve, having a radius of 35 feet, a central angle of 112 degrees 20'24" an arc distance of 68.62 feet to the end of said curve; thence North 20 degrees 25'19" West along the Westerly

existing right-of-way line for State Road Alternate A1A a distance of 583.54 feet; thence South 69 degrees 34'41" West a distance of 15 feet; thence South 20 degrees 25'19" East a distance of 567.05 feet; thence South 06 degrees 23'09" East a distance of 19.30 feet; thence South 35 degrees 45'37" West a distance of 37.42 feet; thence South 69 degrees 36'04" West a distance of 20.23 feet to the Point of Beginning. Said property located on the west side of S.R. A1A, approximately .1 mile north of Lake Park West Road (Northlake Boulevard, S.R.809A) in a CG-General Commercial District

was approved as advertised subject to the following conditions:

1. Prior to Site Plan Review, a revised site plan shall be submitted reflecting the ultimate right-of-way for State Road A-1-A.
2. Any fuel or chemical storage tanks shall be installed, protection against leakage or spillage due to corrosion, breakage, structural failure or other means. The design and installation plans will be submitted to the Health Department for approval prior to installation.
3. Any toxic or hazardous waste generated at this site shall be properly handled and disposed of in accordance with Chapter 17-30, F.A.C.
4. 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.
5. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
6. The owner of the facility will participate in an oil recycling program which insures proper reuse or disposal of waste oil.
7. 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.
8. 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 \$600.00 (based on \$12.50 per trip).

Commissioner Evatt, 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	--	NAY
Peggy Evatt, Member	--	AYE
Dennis P. Koehler, Member	--	AYE
Bill Bailey, Member	--	ABSENT

The foregoing resolution was declared duly passed and adopted  
this day of           , FEB 19, 1985   confirming action of the 1st of  
November 1984.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Patricia L. Weather  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

Sandy Sawyer  
County Attorney