

RESOLUTION NO. R-85-272

RESOLUTION APPROVING ZONING PETITION 81-101(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. 81-101(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.

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. 81-101(A) the petition of DOUGLAS G. HOWELL, By Lee Starkey, Agent to DELETE THE SPECIAL EXCEPTION for a PLANNED COMMERCIAL DEVELOPMENT PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 81-101 AND THE FURTHER SPECIAL EXCEPTION TO ALLOW ENCLOSED STORAGE FACILITIES on the Southwest 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 24, Township 43 South, Range 42 East, excepting therefrom the right-of-way for Military Trail (being the West 60 feet) less and except therefrom the following described parcel:

Beginning at the Southwest corner ~~of~~ the above described parcel; thence North along the West line of said parcel, a distance of 170 feet; thence East, a distance of 270 feet; thence South, a distance

of 170 feet; thence West, a distance of 270 feet to the Point of Beginning. Also less and except therefrom the following:

The North 170 feet of the said Southwest 1/4 of the Northwest 1/4 of the Southeast 1/4 of said Section 24. Said property located on the east side of Military Trail (S.R.809), approximately .4 mile north of Okeechobee Boulevard (S.R.704) in a CG-General Commercial District was approved as advertised subject to the following conditions:

1. The impervious area on the site shall not exceed 85% of the lot area.
2. The proposed 6' high wall shall be supplemented with canopy trees planted 20 - 30 feet on center with a continuous hedge planted 24" on center along the east property line abutting residential property. These required plantings shall be placed between the east property line and the wall. Sufficient space shall be allowed for maintenance of these landscape materials.
3. The developer shall preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measures shall also be taken to protect these preservation areas during site clearing and construction.
4. 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 plan will be submitted to the Health Department for approval prior to installation.
5. 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.
6. 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.
7. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
8. 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.
9. 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 \$738.00.

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

The foregoing resolution was declared duly passed and adopted

this day of  
November 1984.

FEB 19 1985

confirming action of the 1st of

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

Patricia S. Weaver  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

Sandy Sprague  
County Attorney