

RESOLUTION NO. R-85-300

RESOLUTION APPROVING ZONING PETITION 84-168, 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. 84-168 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. 84-168 the petition of BABBSO OF WEST PALM BEACH, INC., By Robert Preston, President for a SPECIAL EXCEPTION TO ALLOW A AUTO PAINT AND BODY SHOP on Lots 15 thru 22, Block 11, Greenland, Plat IV, in Section 24, Township 44 South, Range 42 East, as recorded in Plat Book 4, Page 6. Said property located on the north side of Todd Street, approximately 156 feet east of Military Trail (S.R. 809) in a CG-General Commercial District, in part, and RM-Residential Multiple Family District (Medium Density), in part was approved as advertised subject to the following conditions:

1. 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.

2. 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.
3. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
4. Any fuel or chemical storage tanks shall be installed & protected 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.
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. 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 construct concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer Todd Street from the project's East property line to Military Trail (including Valley Gutter) per the County Engineer's approval.
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 \$575.00.

Commissioner Evatt, moved for approval of the petition. The motion was seconded by Commissioner Bailey, and upon being put to a vote, the vote was as follows:

Ken Spillias, Chairman	--	aye
Dorothy Wilkens, Vice Chairman	--	absent
Peggy Evatt, Member	--	aye
Dennis P. Koehler, Member	--	absent
Bill Bailey, Member	--	aye

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

APPROVED! AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, Clerk

*Andy Sprague*  
County Attorney

BY *Patricia S. [Signature]*  
Deputy Clerk

