

RESOLUTION NO. R- 85-313

RESOLUTION APPROVING ZONING PETITION **84-97**, 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. **84-97** was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the **29 th** 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. With site plan modifications, this proposal with 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 **29 th** of November **1984**, that Petition No. **84-97** the petition of LAWRENCE R. COVEY AND DIANNA L. COULLETT, for a SPECIAL EXCEPTION TO ALLOW A RADIATOR REPAIR FACILITY on the North **60** feet of the South **305** feet of the West **1/2** of the East **1/2** of the Southeast **1/4** of the Southeast **1/4**, less the East **195** feet of Section **24**, Township **43** South, Range **42** East as recorded in Plat Book **23**, Page **181**. Said property located on the west side of Indian Road, approximately **150** feet north of Okeechobee Road in a CG-General Commercial District was approved as advertised subject to the following conditions:

1. Prior to certification by Site Plan Review Committee, a revised site plan shall be submitted reflecting all applicable Zoning Code requirements, or necessary variance relief shall be obtained from the

Board of Adjustment ■

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, 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.
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 property owner shall convey for **the** ultimate right of way of Indian Road, 40 feet from centerline approximately an additional 10 within 90 days of adoption of the Resolution by the Board of County Commissioners; conveyance must **be** accepted by Palm Beach County prior to issuance of first Building **Permit**,
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 \$750.00.

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

Ken Spillias, Chairman	--	ABSENT
Dorothy Wilkens, Vice Chairman	--	AYE
Karen T. Marcus, Member	--	AYE
Jerry L. Owens, Member	--	AYE
Kenneth M. Adams, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this day of **FEB 19 1985** confirming action of the 29th of November 1984.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Patricia L. Weaver
 Deputy Clerk



APPROVED AS TO FORM
 AND LEGAL SUFFICIENCY

Sandy Sprague
 County Attorney