

RESOLUTION NO. R-85-721

RESOLUTION APPROVING ZONING PETITION 85-18, 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. 85-18 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 28th February 1985; 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. This 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 28th of February 1985, that Petition No. 85-18 the petition of EDWARD ROBY, TRUSTEE for a SPECIAL EXCEPTION TO ALLOW A PLANNED INDUSTRIAL DEVELOPMENT on Lot 34, Okeechobee Estates, in Section 24, Township 43 South, Range 42 East, as recorded in Plat Book 23, Page 181. Said property located on the southwest corner of the intersection of Scott Avenue and Gardenia Street 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 be taken to protect significant specimens and preservation areas during site clearing and construction.
2. The developer shall amend the site plan prior to certification to reflect canopy trees eight (8') to ten feet (10') overall in height twenty feet (20') on center along the south and west property lines

to minimize visual impact on abutting residentially zoned property.

3. All lighting shall be directed away from abutting properties.
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 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.
7. The developer shall construct Gardenia Street from Scott Avenue to Indian Road, concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer. This construction shall also include drainage. This construction shall be subject to approval by the County Engineer.
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 \$1,100.00.
9. Use of the site shall be limited to vehicular parking.

Commissioner Spillias, 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 Adams, Chairman	--	AYE
Karen T. Marcus, Vice Chairman	--	AYE
Kenneth Spillias, Member	--	AYE
Jerry L. Owens, Member	--	ABSENT
Dorothy Wilken, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this ~~day~~ **MAY 7** 1985 confirming action of the 28th February 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Donna McWilliam
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Sandy Sprague
County Attorney