

RESOLUTION NO. R-85-1428

RESOLUTION APPROVING ZONING PETITION 73-220(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. 73-220(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 25th July 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. With minor site plan revision, this proposal will be 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 25th of July 1985, that Petition No. 73-220(A) the petition of MOBIL OIL CORPORATION, By D.J. D'Alessio, Agent for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A PLANNED COMMERCIAL DEVELOPMENT PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 73-220 TO INCLUDE AN AUTOMOBILE SERVICE STATION WITH GASOLINE PUMP ISLAND FACILITIES AND CAR WASH on the South 200.00 feet of the West 290.08 feet of Block 23 of "Plat of Hadjes Plaza", in Section 28, Township 44 South, Range 42 East, as recorded in Plat Book 32 at Page 55. Said property being more particularly described as follows:

Begin at the Southwest corner of said Block 23, also being the Point of Intersection of the East Right-of-way line of Hadjes Boulevard with the ultimate right-of-way line of Lake Worth Road; thence North

00 degree 02'06" East along the West line of said Block 23, for 200.00 feet; thence South 89 degrees 58'41" East for 290.00 feet; thence South 00 degree 02'06" West for 200.00 feet; thence North 89 degrees 58'41" West along the South line of said Block 23 for 290.00 feet to the Point of Beginning. Said property located on the north side of Lake Worth Road (S.R. 802), approximately 500 feet east of Florida's Turnpike in an CG-General Commercial District was approved as advertised subject to the following conditions:

- 1) Prior to site plan certification the site plan shall be revised to reflect the following:
  - a) Relocation of the sign away from the required safe corner area adjacent to the intersection of Hadjes Road and Lake Worth Road.
  - b) Relocation of the car wash facility to a minimum of 15 feet from the north property line.
- 2) 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.
- 3) The property owner 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. The Fair Share Fee for this project presently is \$23,120.
- 4) The property owner shall be permitted only one direct access to this site from Lake Worth Road and Hadjes Boulevard.
- 5) The property owner shall obtain an onsite Drainage Permit from the Palm Beach County Engineering Department, Permit Section prior to the issuance of a Building Permit,
- 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) Any fuel or chemical storage tanks shall be installed with 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.
- 9) 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.
- 10) The owner of the facility will participate in an oil recycling program which insures proper reuse or disposal of waste oil.
- 11) The car wash facility shall utilize a water recycling system for it's operation.
- 12) The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.
- 13) Cross-access agreements shall be presented for the approval of

the County Attorney's Office prior to building permit application.

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

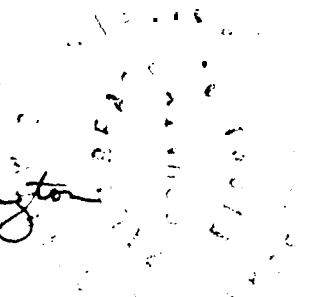
Ken Adams, Chairman	--	AYE
Karen T. Marcus, Vice Chairman	--	AYE
Kenneth Spillias, Member	--	AYE
Jerry L. Owens, Member	--	AYE
Dorothy Wilken, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 17 day of September confirming action of the 25th July 1985.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: [Signature]  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

[Signature]  
County Attorney