

RESOLUTION NO. R- 86-102

RESOLUTION APPROVING ZONING PETITION 84-30(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. 84-30(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 31st October 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 31st of October 1985, that Petition No. 84-30(A) the petition of BOCA TRAVEL TRAILER PARK By Elvy Zanette, Vice President, for a SPECIAL EXCEPTION TO AMEND AND EXPAND THE SITE PLAN FOR A PLANNED INDUSTRIAL DEVELOPMENT, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 84-30, TO INCREASE THE BUILDING SQUARE FOOTAGE on a tract of land lying in Section 20, Township 47 South, Range 42 East, and being described as follows:

Tract 2 and that portion of Tract 1 of Block 79, lying 20 feet West of the Right-of-way of Shell Pit Road, less the North 30.00 feet of said Tracts 1 and 2, all being a portion of Palm Beach Farms Subdivision Plat No. 3, according to the plat thereof on file in Plat Book 2, Page 53.

A tract of **land** being Tract 3 LESS the North ~~30~~ feet, and LESS the South 400 feet, Block 79 of the Palm Beach Farms Company Plat No. 3, as recorded in Plat Book 2, Pages 45 through 54 inclusive.

Together with an easement for ingress and egress described as follows:

The South 30 feet of the North 60 feet of Tracts 1 and 2 in Block 79 of the Palm Beach Farms Company Plat No. 3, as recorded in Plat Book 2, Pages 45 through 54 inclusive. Said property located on the west side of Boca Rio Road, approximately .3 mile south of Glades Road (S.R. 808) in an IL-Light Industrial District was approved as advertised subject to the following conditions:

1. Prior to site plan certification, the site plan shall be amended to reflect the following:

a) All landscaping and berming will be revised to reflect that proposed in Petition 84-30, Exhibit # 14. However, the required wall may be replaced by a hedge or berm of at least three (3) feet in height, along the entire north property line.

b) Twenty one (21) foot parking stall width in areas of one way traffic.

c) Minimum interior landscape requirements.

d) All required landscape areas pursuant to Section 4 of the Landscape Ordinance.

e) Building footprint which accommodates internal access safe corners.

2. 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.

3. All conditions from Resolution Number R-84-1107 shall be complied with unless modified by this petition.

4. No storage or placement of any materials, refuse, equipment or accumulated debris shall be permitted in the rear of the industrial development facility.

5. Security lighting shall be directed away from nearby residences.

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 development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-24 hour storm per requirements of the Permit Section, Land Development Division.

11. Condition No. 5 which states:

"5. The developer shall contribute Ten Thousand Eight Hundred and Eighty Eight Dollars (\$10,888.00) toward the cost of meeting this project's direct and identifiable impact, to be paid at the time of issuance of the Building Permit."

is hereby amended to state:

"5. The property owner shall pay a Fair Share Fee in the amount and manner required by the "Pair 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 \$23,950.00."

12. The property owner shall obtain an onsite Drainage Permit from the Palm Beach County Engineering Department Permit section prior to the application of a Building Permit.

13. The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.

14. The petitioner shall comply with prospective amendments to the Zoning Code, should those amendments be enacted prior to issuance of building permits for this project.

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

Ken Adams, Chairman	--	ABSENT
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 of FEB 11 1986 confirming action of the 31st October 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Sean James Ellington
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Landy Sprague
County Attorney