

RESOLUTION NO. R- 86-223

RESOLUTION APPROVING ZONING PETITION 85-99, 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. 85-99 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 2nd December 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 2nd of December 1985, that Petition No. 85-99 the petition of THE FOUR SEASONS AND A & L INVESTMENT By Frank Ciavarella, Agent for a SPECIAL EXCEPTION TO ALLOW AN OFFICE/WAREHOUSE COMBINATION on the Best 230 feet of the East 560 feet of the North 252.53 feet of the South 635 feet of the Southeast 1/4 of the Southwest 1/4 of Section 18, Township 42 South, Range 43 East. Together with:

Proposed Easterly extension of North 91st Street from Silverthorne Road to the East line of subject property, and its extension thereof. Being more particularly described as follows:

The South 30 feet of the North 1/2 of the East 1/2 of the Southeast 1/4 of the Southwest 1/4, less the East 330 feet thereof, together

with the North 30 feet of the South 1/2 of the East 1/2 of the Southeast 1/4 of the Southwest 1/4, less the East 330 feet thereof, all lying in Section 18, Township 42 South, Range 43 East. Said property located on the south side of North 91st Street proposed extension, approximately 110 feet east of Silverthorne Road and approximately 350 feet north of Northlake Boulevard (S.R. 809A) in an CG-General Commercial District was approved as advertised subject to the following conditions:

1. The warehouse use(s) shall be accessory to the principal business office(s) use.
2. The traffic channelization between the two (2) office warehouse structures shall be limited to west to east one-way traffic.
3. 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.
4. No storage or placement of any materials, refuse, equipment or accumulated debris shall be permitted in the rear of the office warehouse structures.
5. No parking of any vehicles shall be permitted along the rear of the shopping center except in designated spaces or unloading areas.
6. Security lighting shall be directed away from nearby residences.
7. 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.
8. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
9. 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.
10. 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.
11. 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.
12. The property owner shall convey for the ultimate right-of-way of 91st Street a total of 60 feet within 90 days of adoption of the Resolution by the Board of County Commissioners. This right of way shall be dedicated to the Public.
13. The property owner shall construct and maintain 91st Street from Silverthorne Road to the project's east property line concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer.
14. 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.

15. The property owner shall obtain a Turnout Pernit from the Palm Beach County Engineering Department, Pernit Section for access onto Silverthorne Road.

16. 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. The Fair Share Fee for this project presently is \$4,554.00 (170 trips X \$26.79 per trip).

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

18. Minimum landscaping shall be installed prior to Certificate of Occupancy as shown on Exhibit Number 3.

19. The petitioner shall comply with the prospective amendments to the Landscape Code.

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

Ken Adans, Chairman	--	AYE
Karen T. Marcus, Vice Chair-man	--	AYE
Kenneth Spillias, Member	--	AYE
Jerry L. Owens, Member	--	AYE
Dol-othy Wilken, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 25th day of February, 1986 confirming action of the 2nd December 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Sandie M. Laughlin
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Sandie M. Laughlin
County Attorney