

RESOLUTION NO. R-86-463

RESOLUTION APPROVING ZONING PETITION 84-90(B), 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. 84-90(B) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 30th 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. With minor site plan modification, 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 30th of December 1985, that Petition No. 84-90(B) the petition of AUTO CARE CENTERS OF AMERICA By Kevin McGinley, Agent, for a SPECIAL EXCEPTION TO AMEND AND EXPAND THE SITE PLAN FOR AN AUTOMOBILE REPAIR FACILITY, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 84-90(A), TO ADD AN ADDITIONAL .42 ACRES OF LAND AND TO INCREASE THE BUILDING SQUARE FOOTAGE on the West 350 feet of Tract A, according to the Plat of Anna-Johns Estates, in Section 13, Township 44 South, Range 42 East, as recorded in Plat Book 23, Page 219, LESS the West 10 feet thereof for Right-of-way for Military Trail, as shown in Road Plat Book 3, Page 72. Said property located on the southeast corner of the intersection of Military Trail (S.R. 809) and Cypress Lane was approved as advertised subject to the following

conditions :

1. Prior to site plan certification, the site plan will be revised to reflect the inclusion of both required and proposed interior landscaping calculation within the site data tabular information.
2. Security lighting shall be directed away from nearby residences.
3. No storage or placement of any materials, refuse, equipment or accumulated debris shall be permitted in the rear of the structure.
4. The east property line shall be landscaped with 10-12 foot high canopy trees placed thirty (30) feet on center.
5. The required six (6) foot high wall shall receive identical architectural treatment on both sides.
6. Any fuel or chemical storage tanks shall be installed in accordance with Chapter 17-61, Florida Administrative Code. The design and installation plans will be submitted to the Health Department for approval prior to installation.
7. 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.
8. 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.
9. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
10. The owner of the facility will participate in an oil recycling program which insures proper reuse or disposal of waste oil.
11. The property owner shall construct Cypress Lane from Military Trail east to the project's entrance on Cypress Lane 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 be to local road standards (minimum 2-10 travel lanes) with appropriate drainage.
12. 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 \$7,287.00 (272 trips X \$26.79 per trip). This figure may be reevaluated by the County Engineer.
13. 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.
14. The property owner shall obtain a Turnout Permit from the Palm Beach County Engineering Department, Permit Section for any additional access onto Cypress Lane and a permit from the Florida Department of Transportation for access onto Military Trail.
15. The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.

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

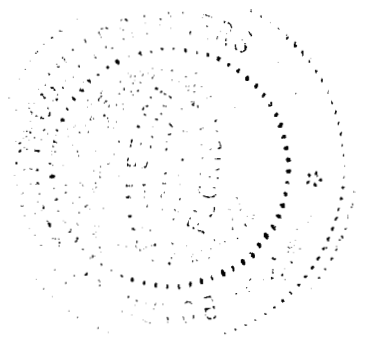
Ken Adams, Chairman	--	AYE
Karen T. Marcus, Vice Chairman	--	ABSENT
Kenneth Spillias, Member	--	AYE
Jerry L. Owens, Member	--	AYE
Dorothy Wilken, Member	--	ABSENT

The foregoing resolution was declared duly passed and adopted
 this 8th day of April, 1986 confirming action of the 30th December
 1985.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara O'Leary
 Deputy Clerk



APPROVED AS TO FORM
 AND LEGAL SUFFICIENCY

Brady Spang
 County Attorney