

RESOLUTION NO. R- 86-573-15

RESOLUTION APPROVING ZONING PETITION 86-2, Rezoning

WHEREAS, the Board of County Commissioners, as the zoning authority, 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. 86-2 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 30th January 1986; 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 petitioner agreed that 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; and

WHEREAS, the petitioner agreed that 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.; and

WHEREAS, the petitioner agreed that 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; and

WHEREAS, the petitioner agreed that reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters; and

WHEREAS, the petitioner agreed that 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. This drainage system shall be maintained in an acceptable condition per the County Engineers approval; and

WHEREAS, the petitioner agreed that the property owner shall convey for the ultimate right of way of Congress Avenue, 60 feet from centerline within 90 days of adoption of the Resolution by the Board of County Commissioners; conveyance must be accepted by Palm Beach County prior to issuance of first Building Permit; and

WHEREAS, the petitioner agreed that 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; and

WHEREAS, the petitioner agreed that the property owner shall obtain a Turnout Permit from the Palm Beach County Engineering Department, Permit Section for access onto Congress Avenue; and

WHEREAS, the petitioner agreed that the petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting; 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 30th of January 1986, that Petition No. 86-2 the petition of ROSCOE AND PATRICIA THOKNE for the REZONING, FROM RM-RESIDENTIAL MULTIPLE FAMILY DISTRICT (MEDIUM DENSITY) TO CS-SPECIALIZED COMMERCIAL DISTRICT on Lot "B", Block 32, The Palm Beach Farms Company Plat No. 7, in Section 30, Township 44 south, Range 43 East, as recorded in Plat Book 5, page 72. Said property located on the west side of Congress Avenue (S.R. 807), approximately .1 mile south of Lake Worth Road (S.R. 802) was approved as advertised subject to voluntary commitments.

Commissioner Spillias, moved for approval of the petition. The motion was seconded by Commissioner Wilken, and

upon being put to a vote, the vote was as follows:

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

The foregoing resolution was declared duly passed and adopted
this 22nd day of April, 1986 confirming action of the 30th January
1986.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara O'Neil
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Andy Meyer
County Attorney