

RESOLUTION NO. R-86-638

RESOLUTION APPROVING ZONING PETITION 86-17, 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. 86-17 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 27th February 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 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 27th of February 1986, that Petition No. 86-17 the petition of THE SOUTHLAND CORPORATION By Jose S. Camero, Agent, for a SPECIAL EXCEPTION TO ALLOW GASOLINE PUKP ISLAND FACILITIES on a parcel of land in Section 5, Township 44 South, Range 43 East, together with Lots 1 and 5, Amended Plat of Larson Addition, according to the Plat thereof recorded in Plat Book 24, Page 55, being more particularly described as follows:

Begin at the Southeast corner of said Lot 5; thence North 00 degree 30'00" East along the East line of said Lot 5 and its Northerly projection thereof for 178.98 feet to a point on the Southerly Right-of-way line of Summit boulevard; thence South 89 degrees 34'52" West along said Southerly Right-of-way line for 235.52 feet to a

point of curvature; thence run Southwesterly along a 25.88 foot radius curve leading to the left through a central angle of 44 degrees 58'56" for an arc of 19.63 feet; thence South 00 degree 38'23" West along the Easterly Right-of-way line of Congress Avenue (S.R. 807) said line also being 40.00 feet East of the West line of said Section 5 for 164.85 feet to the Southwest corner of said Lot 1; thence North 89 degrees 30'00" East along the Southerly line of said Lots 1 and 5 for 256.47 feet to the Point of Beginning. Said property located on the southeast corner of the intersection of Congress Avenue (S.R. 807) and Summit Boulevard, being bounded on the south by New York Street in an CG-General Commercial District was approved as advertised subject to the following conditions:

1. Prior to site plan certification the site plan will be revised to reflect:
 - a) additional landscaping in the form of 10-12 foot in height canopy trees planted 30 feet on center along the eastern property line where existing vegetation does not meet this requirement.
 - b) twenty foot backup distance for the northern-most parking stall.
2. The required six (6) foot high wall shall receive identical architectural treatment on both sides, consistent with the front of the center.
3. Security lighting shall be directed away from nearby residences.
4. No storage or placement of any materials, refuse, equipment or accumulated debris shall be permitted behind the structure.
5. 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.
6. Any toxic or hazardous waste generated at this site shall be properly handled and disposed of in accordance with Chapter 17-38, F.A.C.
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. The owner of the facility will participate in an oil recycling program which insures proper reuse or disposal of waste oil.
10. This 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. The drainage system shall be maintained in an acceptable condition per the County Engineers approval.
11. The property owner shall convey for the ultimate right-of-way of Summit Boulevard, 4M feet from centerline within 98 days of adoption

