

RESOLUTION NO. R-87-242

RESOLUTION APPROVING ZONING PETITION 86-117, 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. 86-117 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on September 25, 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 facts

1. With required 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 10th day of February, 1987, that: Petition No. 86-117, the petition of ORTHOPEDIC ASSOCIATES, By Robert Bentz, Agent, for a SPECIAL EXCEPTION TO DELETE A FINANCIAL INSTITUTION, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 83-144 AND TO ALLOW GASOLINE PUMP ISLAND FACILITIES AND A CRR WASH (SELF-SERVICE OR AUTOMATIC) on the South 90.02 feet of Tract B, and the North 72.50 feet of Tract C, Block 65, of the Palm Beach Farms Company Plat No.

7 of Section 30, Township 44 South, Range 43 East, according to the plat filed with the Clerk of the Circuit Court in Plat Book 5, Page 72, all lying South of the South right-of-way line of 6th Rvenue South and West of the West right-of-way line of S.R. 807 (Congress avenue). Said property located on the southwest corner of the intersection of 6th Avenue South and Congress Avenue (S.R. 807) was approved as advertised subject to the following conditions:

1. Prior to site plan certification the site plan shall be revised to reflect the followingr
  - a a 15 foot side interior setback for the proposed car wash
  - b 20 square feet of interior landscaping per parking stall
  - c terminal islands with a minimum dimension of five (5) feet and one (1) tree per irland
  - d the provision for a functional interior landscaped area equal to 10% of the gross paved area (approximately 2,200 square feet)
  - e inclusion of proposed and required interior landscaping calculation within the site ~~data~~ tabular information.
2. Car wash facility shall have water recycling system. There shall be no connection of the recycling system to the septic tank.
3. The development shall retain the stormwater runoff in accordance with all applicable agency requirements in effect at the time of permit application, but as a minimum, the development shall retain on site 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 Engineer's approval.
4. The property owner shall convey for the ultimate right-of-way ofr
  - a) 6th Avenue South, 76 feet from centerline,
  - b) Congress Avenue, 64 feet from centerlineall within 90 days of the approval of the Resolution approving this project.
5. 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 \$23,897.00 (892 trips X \$26.79 per trip).
6. Based on the Traffic Performance Standards (Category "B"), the Developer shall contribute an additional \$5,974.00

toward Palm Beach County's existing Roadway Improvement Program. These total funds of \$29,871.00 shall be paid prior to October 1, 1986, or prior to the issuance of a building permit, whichever shall first occur.

Commissioner Adams, 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:

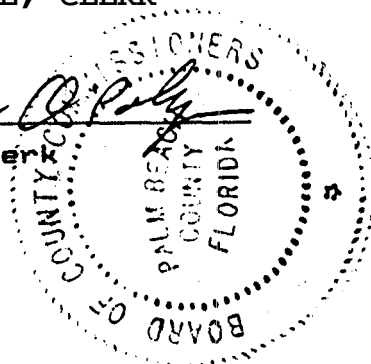
Karen T. Marcus	--	AYE
Jerry L. Owens	--	ABSENT
Ken Spillias	--	AYE
Dorothy Wilken	--	AYE
Kenneth M. Adams	--	AYE

The foregoing resolution was declared duly passed and adopted this 10th day of February, 1987, confirming action of September 25, 1986.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Barbara O. Polk*  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

*[Signature]*  
County Attorney