

RESOLUTION NO. R-87-419

RESOLUTION IMPROVING ZONING PETITION 84-102(E), Special Exception

WHEREFIS, 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

WHEREFIS, 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

WHEREFIS, Petition No. 84-102(E) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on October 23, 1986 and

WHEREFIS, 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

WHEREFIS, 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 24th day of March, 1987, that: Petition No. 84-102(E), the petition of JOHN A. STFILUPPI, By Robert Basehart, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A COMMERCIAL NEW FIND USED AUTOMOBILE SALES, RENTRL AND REPAIR FFICILITIES AND LOTS, PREVIOUSLY FIPPROVED UNDER ZONING PETITION NO. 84-102(D), TO FIDD A DECK OF PFIRKING RBOVE THE SERVICE BUILDING on the Northeast 1/4 of the Northeast 1/4 of the Southwest 1/4 of Section 1, Township 44 South, Range 42 East, Less the East 60 feet

for road purposes. Said property located on the southwest corner of the intersection of Military Trail (S.R. 809) and Sunny Lane in a CG-General Commercial District was approved as advertised subject to the following conditions:

1. The developer shall comply with all previous conditions of approval unless modified herein.
2. Prior to site plan certification the site plan shall be revised to reflect the following:

- a. A complete removal program of all prohibited vegetation.

- b. A reduction in the total number of parking stalls provided so that the existing slash pine and other native vegetation may be incorporated into the project design to the extent possible as permitted by the Lake Worth Drainage District. No trees shall be removed from the drainage right-of-way unless expressly written. Particular emphasis regarding reduction in the number of parking stalls should be placed upon the northeast corner of the site where the elimination of eleven (11) parking stalls would result in the preservation of fifteen (15) trees.

3. Condition No. 3 (d) of Petition No. 84-102(B) which states:

"3. The developer shall construct, concurrent with onsite paving and drainage improvements, pursuant to a paving and drainage permit issued from the office of the County Engineer:

...(d) Construct a Right Turn Lane, east approach, on Sunny Lane at Haverhill Road. ..."

is hereby amended to state:

"3.(d) The Developer shall contribute the cost of a right turn lane, east approach, on Sunny Lane at Haverhill Road prior to the issuance of a building permit, or when required by the County Engineer, whichever shall first occur. This amount shall be credited toward the Fair Share Impact Fee and shall be based upon a certified cost estimate by the Developer's Engineer as approved by the County Engineer."

4. The automobile stored on the parking deck shall be screened from view from the Street. The parking deck shall receive appropriate architectural treatment consistent with the overall building.
5. No exterior lighting, signage or flags shall be placed on the roof or on the exterior walls of this building. Security lighting on the parking deck shall be low intensity and directed away from adjacent residential areas.
6. Use of the parking deck shall be limited to storage of new vehicles only.
7. Three (3) required handicapped parking spaces shall be relocated to the front of the facility.

8. Canopy trees are to be planted in rear perimeter buffer area with a minimum planting height of fourteen (14) feet,
9. The petitioner shall convey to the Lake Worth Drainage District: the North 56 feet of the Northeast 1/4 of the Northeast 1/4 of the Southwest 1/4 of Section 1 Township 44 Range 42 for the required right-of-way for Lateral Canal No. 5, by Quit Claim Deed or an Easement Deed in the form provided by said District within ninety (90) days of adoption of the Resolution by the Board of County Commissioners-

Commissioner Owens, 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	--	AYE
Ken Spillias	--	ABSENT
Dorothy Wilken	--	AYE
Kenneth M. Adams	--	ABSENT

The foregoing resolution was declared duly passed and adopted this 24th day of March, 1987 confirming action of October 23, 1986.

FFIM BEFICH COUNTY, FLORIDA
BY ITS BOFIRD OF COUNTY
CUMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Lina M. Eddings
Deputy Clerk



FIPPROVED AS TU FORM
FIND LEGAL SUFFICIENCY

[Signature]
County Attorney