

RESOLUTION NO. R-87-901

RESOLUTION APPROVING ZONING PETITION 86-85: 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. 86-85 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on January 5, 1987; 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 required site plan modifications, this proposal will be consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 86-85, the petition of JRNE C. KREUSLER, By Bruce G. Kaleita, Esquire, for a SPECIAL EXCEPTION TO ALLOW A COMMERCIAL NEW AND USED AUTO, TRUCK, BOAT, MOTORCYCLE, MOBILE HOME, RECREATIONAL VEHICLE SALE AND RENTAL AND REPAIR FACILITY AND LOT on property located on the east side of Military Trail (S.R. 809), approximately 180 feet

north of Cherry Road in a CG-General Commercial Zoning District was approved as advertised, subject to the following conditions:

- I. Prior to site plan certification, the site plan shall be amended to indicate the following:
  - a) Correct lot coverage ratio.
  - b) Elimination of the southernmost entry onto Military Trail.
  - c) Landscaped terminal islands at the eastern end of the customer parking and the specialized vehicular use area along the northern property line.
2. There shall be no repair, oil change, car wash or maintenance of mechanical equipment conducted on the property until the facility is connected to the public water system.
3. The developer shall retain the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application. However, at a minimum, 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 as approved by the County Engineer. In the event that the drainage system is not adequately maintained as determined by the County Engineer this matter will be reviewed by the Code Enforcement Board for enforcement.
4. 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 \$1,634.00 (61 trips X \$26.79 per trip).
5. Property owner shall be permitted only one entrance/exit onto Military Trail.
6. The use on this site shall be restricted to automobile sales.
7. Prior to site plan certification, petitioner shall submit evidence that public water service shall be provided to the site.

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:

Carol A. Roberts -- Absent  
Jerry L. Owens -- Aye  
Karen T. Marcus -- Aye  
Dorothy Wilken -- Aye  
Kenneth M. Adams -- Absent

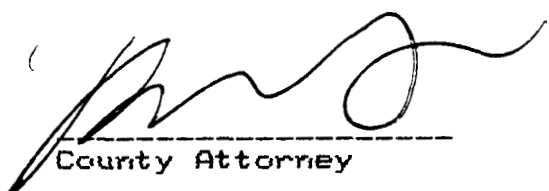
The foregoing resolution was declared duly passed and adopted this 23rd day of June, 1987 confirming action of January 5, 1987.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Jina M. Eddings  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
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County Attorney