

RESOLUTION NO. R-87-1184

RESOLUTION IMPROVING ZONING PETITION 87-39: 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. 87-39 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on February 26, 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, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner; 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. 87-39, the petition of RICHARD E. PRINZOS, by Larry M. Schneider, Agent, for a SPECIAL EXCEPTION TO ALLOW AN OFFICE/WAREHOUSE COMBINATION on Lot 31, Delray Beach Estates, in Section 4, Township 46 South, Range 43 East as recorded in Plat Book 21 at Page 13. The property located on the east side of U.S. Highway No. 1 (SR 5)

5) approximately .2 miles south of Gulfstream Boulevard in a CG-General Commercial Zoning District was approved as advertised subject to the following conditions:

1. Prior to site plan certification, the site plan shall be amended to indicate the following:
 - a) Required number of trees.
 - b) Required tree planting along the southern perimeter of the site between off-street parking areas and abutting properties.
2. 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 three (3) inches of the stormwater runoff generated by a three (3) year-one (1) hour storm as required by 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 referred to the Code Enforcement Board for enforcement.
3. The property owner shall convey for the ultimate right-of-way of U. S. 1, sixty (60) feet from centerline (approximately an additional feet) within ninety (90) days of the adoption of the Resolution approving this project.
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 \$1,902.00 (71 trips X \$26.79 per trip).
5. Use of the site shall remain as office/warehouse. No retail uses shall be permitted on this site.
6. The application and engineering plans, calculations etc. to construct well and/or septic tank must be submitted to the Health Department prior to site plan approval.
7. Security lighting shall be low intensity and directed away from nearby properties and streets, shining only on the subject site.
8. There shall be no outside storage on site.
9. In lieu of construction of a wall on site, petitioner shall reconstruct or repair the existing concrete wall located on the adjacent site to the east.
10. Materials stored in the warehouse areas shall be limited to dry storage only.
11. No heavy equipment repair or fabrication activities shall be permitted on site.
12. There shall be no egress from the structure on the east side of the building except for required fire safety doors.
13. Petitioner voluntarily agrees to the annexation to the City of Delray Beach when property becomes contiguous.

Commissioner Wilken, moved for approval of the petition. The motion was seconded by Commissioner Elmquist, and upon being put to a vote, the vote was as follows:

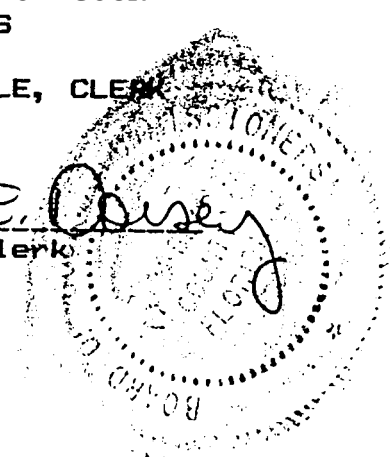
Carol A. Roberts	--	Rbsent
Carol J. Elmquist	--	Rye
Karen T. Marcus	--	RYE
Dorothy Wilken	--	Rye
Kenneth M. Rdams	--	Absent

The foregoing resolution was declared duly passed and adopted this 11th day of August, 1987 confirming action of Rpril 24, 1987.

PRLM BERCH COUNTY, FLORIDR
BY ITS BORRD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Jane E. Ousey
Deputy Clerk



RPPROVED AS TO FORM
AND LEGRL SUFFICIENCY

[Signature]

County Attorney