

RESOLUTION NO. R-91- 1474

RESOLUTION APPROVING ZONING PETITION NO. 91-18
SPECIAL EXCEPTION PETITION OF REGINALD J. & JOHANNA J. KEYS,

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, have been satisfied; and

WHEREAS, Petition No. 91-18 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its Public Hearing conducted on July 25, 1991; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, 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 the 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, sitting as the Zoning Authority, made the following findings of fact:

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations.

WHEREAS, Chapter 402.5 of the Zoning Code, requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 91-18, the petition of REGINALD J. AND JOHANNA J. KEYS, BY ROBERT A. BENTZ, AGENT, for a SPECIAL EXCEPTION TO ALLOW A VEHICLE RENTAL SERVICE on a parcel of land lying South 1/2 of Lot 5 and North 25 feet of Lot 6,k (LESS the East 15 feet for road right-of-way), MEERDINKS LITTLE RANCHES, as recorded in Plat Book 4, at Page 50, in Section 30, Township 43, Range 43, and being located on the W SIDE OF CONGRESS AVE., APPROXIMATELY .1 MILE S OF OKEECHOBEE BLVD., in the CG Zoning District, was approved on July 25, 1991, as advertised, subject to the following conditions:

A. STANDARD CONDITIONS

1. The site plan shall be amended to indicate compliance with all minimum property development regulations and land development requirements of Palm Beach County.

2. Development of the site is limited to the uses and site design shown on the site plan approved by the Board of County Commissioners (Exhibit 19). Any modifications must be approved by the Board of County Commissioners unless the proposed use or design changes are permitted pursuant to Section 402.7(E)2(b) (Site Plan Review Committee Powers and Standards of Review).

B. ADVERTISING

1. All on site signs shall comply with the Palm Beach County Sign Code, Ordinance No. 72-23, and shall indicate principal uses only. Specifically, no snipe signs, banners, balloons or other prohibited types of advertisement shall be permitted on site. No elevated vehicles shall be permitted.

C. CONCURRENCY

1. Prior to application to Site Plan Review Committee, the petitioner shall withdraw Concurrency Case No. 90-12-10-004 C.

D. HEALTH

1. No structures are proposed for this site, therefore, potable water supply and sewage treatment and disposal will be provided by the adjacent property to the south.
2. The petitioner shall provide documentation acceptable to the Health Department that sanitary service for the site shall be provided by the property to the south. This documentation shall be provided by the petitioner prior to site plan certification.

E. ENGINEERING

1. The Developer shall provide discharge control and treatment for 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 on-site the stormwater runoff generated by a three (3) year-one (1) hour storm with a total rainfall of 3 inches as required by the Permit Section, Land Development Division. In the event that the subject site abuts a Department of Transportation maintained roadway, concurrent approval from the Florida Department of Transportation will also be required. 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.
2. Prior to December 15, 1991 or prior to the issuance of the first Building Permit whichever shall first occur, the property owner shall convey to Palm Beach County Roadway Production Division by road right-of-way warranty deed for Congress Avenue, 60 feet from centerline free of all encumbrances and encroachments. Developer shall provide Palm Beach County with sufficient documentation

acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. Right-of-way conveyances shall also include "Safe Sight Corners" where appropriate at intersections as determined by the County Engineer.

3. The Property owner shall construct a closed piping system along the projects frontage for the Lake Worth Drainage District E 3 1/2-8 Canal. Construction shall be subject to approval by the Lake Worth Drainage District and the County Engineering. Construction shall be concurrent with on-site paving and drainage improvements. This construction shall be completed prior to the issuance of the first Certificate of Occupancy.
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 at the time of the Building Permit presently is \$3,960 (72 trips X \$55.00 per trip).
5. The property owner shall convey to the Lake Worth Drainage District the west 10 feet of the subject parcel for the required right-of-way for Equalizing Canal No. E 3 1/2-8, by Quit Claim Deed or an Easement Deed in the form provided by said District prior to December 31, 1991.

F. LANDSCAPE;

1. Landscaping shall be upgraded along the north, east and south property lines to include:
 - a. Twelve (12) foot tall native canopy trees, placed twenty (20) feet on center.
 - b. A thirty-six (36) inch tall native hedge.
2. Landscaping along the east property line shall include one (1) additional native palm for each twenty (20) linear feet of frontage abutting Congress Avenue.
3. Landscaping along the west property line shall include:
 - a. Twelve (12) foot tall native canopy trees, placed twenty (20) feet on center.
 - b. A continuous native hedge a minimum of thirty-six (36) inches high.
 - c. All landscaping shall be placed on the exterior side of a required six (6) foot high concrete wall.
4. Prior to Site Plan certification, the petitioner shall amend the site plan to conform with the requirements of the Zoning Code Section 500.35 (Landscape Code) adopted by the Board of County Commissioners on March 5, 1991.

G. LIGHTING

1. Outdoor lighting used to illuminate the premises shall be a maximum height of twenty (20) feet, low intensity, shielded and directed downward and away from adjacent properties and streets.

H. RECYCLE SOLID WASTE

1. The property owner shall participate in a recycling program when available in the area. The program shall include paper, plastic, metal and glass products, as programs are available.

I. SIGN

1. Signs on the site shall be limited as follows:
 - a. Maximum number: One (1).
 - b. Maximum total sign face area: thirty (30) square feet.
 - c. Maximum total sign height: ten (10) feet.
2. Prior to Site Plan certification, the petitioner shall submit a Master Sign Program, which specifies: sign location, sign size, unified graphics and color, and typical base planting details.

J. SITE SPECIFIC

1. A minimum six (6) foot high fence shall be provided along the south and north perimeters of the property.
2. A minimum six (6) foot high concrete wall shall be provided along the west perimeter where the property abuts residential uses. The required landscaping along this property line shall be located on the exterior side of the wall.
3. The site plan shall be revised prior to certification to include:
 - a. The correct parking requirement computation in the tabular information.
 - b. Compliance with the revised Landscape Code (Ordinance No. 90-15).
4. No cross access shall be permitted to adjacent parcels.
5. The proposed fence along Congress Avenue shall be placed on the interior side of the required landscape strip.

K. USE LIMITATIONS

1. Use of the site shall be limited to the storage and leasing of automobiles only. A maximum of 22 vehicles shall be stored on the site at any time.

Commissioner Roberts moved for approval of the Resolution.

The motion was seconded by Commissioner Phillips and, upon being put to a vote, the vote was as follows:


Karen T. Marcus, Chair	--	AYE
Carole Phillips	--	AYE
Carol A. Roberts	--	AYE
Carol J. Elmquist	--	ABSENT
Mary McCarty	--	AYE
Ken Foster	--	ABSENT
Maude Ford Lee	--	ABSENT

The Chair thereupon declared the resolution was duly passed and adopted this 8th day of October, 1991.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY : 
COUNTY ATTORNEY

By: 
DEPUTY CLERK

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