

RESOLUTION NO. R-84-1189

RESOLUTION APPROVING ZONING PETITION 84-66, 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. 84-66 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 24th of May 1984; 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. The proposed Special Exception is consistent with the Comprehensive Plan.
2. The proposed Special Exception will require modifications to the site plan, and/or variance relief, to be brought into conformity with Zoning Code requirements. Minor modifications to the site plan will obviate the need for variance relief.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 24th of May 1984, the petition of ROBERT R. PAVESE, TRUSTEE, By K.S. Rogers, Agent, for a SPECIAL EXCEPTION TO ALLOW AN AUTOMOTIVE REPAIR FACILITY on Lot A, less the South 40 feet thereof in Section 29, Township 43 South, Range 43 East as recorded in Plat Book 23, Page 112. Said property located on the southwest corner of the intersection of Okeechobee Boulevard and Frank Street in a General Commercial District, was approved as advertised subject to the following conditions:

1. Prior to certification by the Site Plan Review Committee, the site plan shall be amended to reflect the following:

- a. A six-foot (6') high wall with landscaping along the south property line, adjacent to the residential use.
 - b. The additional two feet (2') required for the twenty-foot (20') setback from the property line and the first parking space.
2. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.
 3. The developer shall contribute Two Thousand and Thirty Eight Dollars (\$2,038.00) toward the cost of meeting this project's direct and identifiable impact, to be paid at the time of issuance of the Building Permit.
 4. 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, Frank Street from Okeechobee Boulevard to the project's turnout.
 5. Access to the site shall be limited to Frank Street.
 6. Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.
 7. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
 8. The petitioner shall procure variance relief from the Board of Adjustment with respect to the side interior setback requirements, prior to certification of the Site Plan by the Site Plan Review Committee.

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

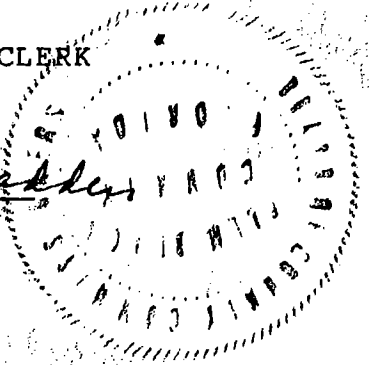
Ken Spillias, Chairman	--	AYE
Dorothy Wilkens, Vice Chairman	--	AYE
Peggy Evatt, Member	--	AYE
Dennis P. Koehler, Member	--	AYE
Bill Bailey, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this **AUG 21 1984**, confirming action of the 24th of May 1984.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Judy Maddox
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Charles F. Church
County Attorney