

RESOLUTION NO. R-84-786

RESOLUTION APPROVING ZONING PETITION 84-10, 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. 84-10 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 26th January 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 requirements of the Comprehensive Plan and Zoning Code.
2. The proposed use is compatible with other developments in this area.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 26th day January 1984, that Petition No. 84-10 the **petition** of UNION OIL COMPANY OF CALIFORNIA, By Lee Starkey, Agent, for A SPECIAL EXCEPTION TO ALLOW A GASOLINE PUMP ISLAND FACILITY on a parcel of 1 and lying in Tract 33, Township 44 1/2 South, Range 43 East, said land being described as a portion of Lots 46, 47 and 48 of Lake Osborne Subdivision, as recorded in Plat Book 9, Page 42, being more particularly described as follows:

Beginning at the intersection of the East; right-of-way line of Congress Avenue (S.A. 807) and the South right-of-way line of Lantana Road,

(S.R.812) also South line of Section 31, Township 44 South, Range 43 East and the North line of Hiatus; thence, with an assumed bearing of South 89 degrees 30'32" East along the South right-of-way line of Lantana Road, a distance of 200.00 feet to a point; thence, with a bearing of South 00 degrees 29'20" West, a distance of 213.00 feet to a point; thence, with a bearing of North 09 degrees 30'14" West, a distance of 197.43 feet to a point on the East right-of-way line of Congress Avenue; thence, with a curve to the right, having a tangent bearing of North 01 degrees 37'36" West, a radius of 1860.08 feet, an arc length of 52.82 feet to a point; thence, with a bearing of due North, along the East right-of-way line of Congress Avenue, a distance of 160.17 feet more or less to the Point of Beginning;

Excepting therefrom the North 13 feet which was conveyed to County of Palm Beach by deed recorded in Official Record Book 1681, Page 1402, less, however, the right-of-way for Lantana Road (S.R.812) and Congress Avenue (S.R.807). Said property located on the southeast corner of the intersection of Lantana Road and Congress Avenue in an CG-General Commercial District was approved as advertised subject to the following conditions:

1. This 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.
2. The property owner shall convey for the ultimate right of way of Congress Avenue, 60 feet from centerline approximately an additional 10 feet within 90 days of approval; conveyance must be accepted by Palm Beach County prior to issuance of the first building permit.
3. The developer shall contribute Twelve Thousand Nine Hundred Dollars (\$12,900.00) 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 underground fuel storage tanks shall be installed to provide maximum protection against leakage or spillage due to corrosion, breakage, structural failure, or other means. Acceptable designs for tank construction include cathodically protected steel, glass fiber reinforced plastic, steel clad with glass fiber-reinforced plastic, double-walled steel or plastic; or other equivalent design. The design and installation plans will be submitted to the Health Department for approval prior to installation.
5. 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.

6. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
7. The developer shall provide bathroom facilities accessible to the public.

Commissioner Koehler, moved for approval of the petition.

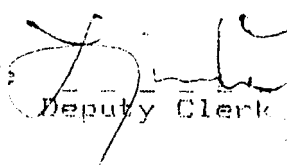
The motion was seconded by Commissioner Evatt, and upon being put to a vote, the vote was as follows:

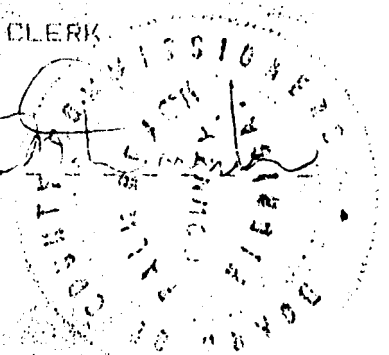
Ken Spillias, Chairman	---	AYE
Dorothy H. Wilken, Vice Chairman	.	ABSENT
Peggy B. Evatt	---	AYE
Dennis P. Koehler	..	AYE
Bill Bailey	--	ABSENT

The foregoing resolution was declared duly passed and adopted this 12th day of June, 1984, confirming action of 31st January 1984.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: 
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney