

RESOLUTION NO. R-84-1184

RESOLUTION APPROVING **ZONING** PETITION 84-10(A), 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(A) 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. With minor modification to the site plan, or variance relief, the proposal is consistent with the requirements of the Zoning Code.

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 UNION OIL CO. OF CALIFORNIA By Lee Starkey, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A GASOLINE PUMP ISLAND FACILITY PREVIOUSLY APPROVED UNDER ZONING PETITION **NO.** 84-10 TO ALLOW ADDITIONAL PUMP ISLAND FACILITIES on property located on the southeast corner of the intersection of Lantana Road and Congress Avenue in an General Commercial District, was, approved as advertised subject to the following conditions:

1. The petition shall comply with the conditions imposed by approval of the preceding petition, Petition 84-10.
2. Prior to Site Plan Review Committee Meeting certification, the site plan shall be amended to reflect the following:

- A. Tabular information
 - B. The setback requirement of twenty feet (20') between the property line and the first parking stall, (Congress Avenue).
3. 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.
 4. This projects total impact fee shall be Thirteen Thousand Two Hundred and Eighty Eight Dollars (\$13,288.00), to be paid at the time of the building permit.
 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 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.

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

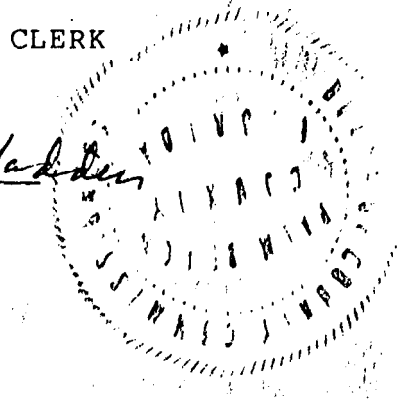
Ken Spillias, Chairman	-- AYE
Dorothy Wilkens, Vice Chairman	-- AYE
Peggy Evatt, Member	-- AYE
Dennis P. Koehler, Member	-- AYE
Bill Bailey, Member	-- AYE

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 Madson
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Charles F. Beach
County Attorney