

RESOLUTION NO. R-84-778

RESOLUTION APPROVING ZONING PETITION 83-176, 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. 83-176 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. Abandonment of the two alleys transversing this property must be accomplished prior to certification of any site plan.
2. The proposed use is consistent with the requirements of the Comprehensive Plan and other developments in the area.
3. In order to meet property development regulations and to provide for safe and adequate traffic circulation, the proposed site plan must be completely redesigned.

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. 83-176 the petition of WILLIAM A. CHAMBERLAIN By Beril Kruger, Agent, for a SPECIAL EXCEPTION TO ALLOW A COMMERCIAL, NEW AND USED AUTOMOBILE, TRUCK AND RECREATIONAL VEHICLE SALE AND RENTAL AND REPAIR FACILITIES AND LOT, INCLUDING AN AUTO PAINT AND BODY SHOP on the North 1/2 of Lot 26, less the East 2 feet, Lots 27 thru 30 inclusive, less the East 2 feet, Lots 31 thru 42 inclusive, Lots 1,2,3,4 & the North 1/2 of Lot 5 all in Block 13, Del Raton Park, in Section 29, Township 40 South, Range 43 East, as recorded in Plat Book 14, pg 9. Said property located on the southwest

corner of the intersection of U.S. Highway No. 1 (S.R.5), approximately .6 miles south of Linton Boulevard in an CG-General Commercial District was approved as advertised subject to the following conditions:

1. 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.
2. The developer shall construct concurrent with onsite paving and drainage improvements pursuant to a Paving & Drainage Permit issued from the Office of the County Engineer, Avenue "B" from it's present paved terminus west of U.S. 1 west to the project's west property line.
3. The developer shall contribute \$.53 (53 cents) per square foot of commercial area 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 take reasonable precautions during the development of this property to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties.
5. The developer shall take necessary measures during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters.
6. Prior to site plan certification:
  - a.) The alleys transversing this property shall be abandoned.
  - b.) The site plan shall be completely redesigned to conform to all property development regulations and to provide for adequate and coherent traffic circulation.

Commissioner Wilken , 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 H. Wilken, Vice Chairman	---	AYE
Peggy B. Evatt	---	ABSENT
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 26th 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