

RESOLUTION NO. R-84-770

RESOLUTION APPROVING ZONING PETITION 83-92(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. 83-92(A) 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 use is consistent with the requirements of the Comprehensive Plan.

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. 83-92(A) the petition of CHARLES AND FRIEDA AFFRON, TILLIE MILLER, HAROLD G. AND LINDA L. MURPHY, By K.S. Rogers, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 83-92, TO INCLUDE COMMERCIAL NEW AND USED TRUCK, MOTORCYCLE, RECREATIONAL VEHICLE SALE AND RENTAL AND REPAIR FACILITIES AND LOT, INCLUDING AN AUTO PAINT AND BODY SHOP on the West 190 feet of the East 230 feet of the North 450 feet of the South 516 feet of the Southwest 1/4 of Section 29, Township 43 South, Range 43 East. Said property located on the northwest corner of intersection of Belvedere Road and Florida Mango Road in a CG-General Commercial District was approved as advertised subject to the following conditions:

1. This development shall retain onsite the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 73-4, as amended.

2. The property owner shall convey for the ultimate right-of-way of Belvedere Road, 68 feet from centerline, approximately an additional 2 feet, within 90 days of approval; conveyance must be accepted by Palm Beach County prior to issuance of first building permit.

3. The developer shall construct concurrent with on-site paving and drainage improvements pursuant to a permit issued from the Office of the County Engineer, a right turn lane, north approach on Florida Mango Road at its intersection with Belvedere Road.

4. The developer shall contribute Two Thousand One Hundred Dollars (\$2,100.00) toward the cost of meeting this project's direct and identifiable impact, to be paid at the time of the building permit. Credit shall be given for construction as outlined in Condition #3 above.

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 automotive service area shall not have floor drains. Lubricants, cleaning compounds and similar products resulting from automotive repair activities shall be disposed of by industrial waste disposal methods acceptable to the Palm Beach County Health Department.

8. The site plan shall be revised to conform to all property development regulations prior to site plan certification.

9. Areas for auto storage shall be screened from view along streets and adjoining properties by a solid screen six feet in height consisting of an opaque fence along the western and northern property lines and an eight foot staggered wall along the eastern and southern boundaries, to be moved in four (4) feet to allow required hedges and trees adjacent to the streets. No advertisements shall be placed on the walls. The petitioner shall maintain landscaping and keep the area free of any refuse and debris.

10. Areas used for auto-for-sale display, for customers and employee parking and for internal circulation shall be designated on the site plan and paved.

11. Hours of operation for the body shop, paint and repair facilities, shall be limited to the hours from 7:00 A.M. to 8:00 P.M.

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

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

