

RESOLUTION NO. R- 83-194

RESOLUTION APPROVING ZONING PETITION 82-126, 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. 82-126 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28 October 1982; 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 proposal would be in harmony and compatible with the present and future development of the area concerned

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 28th day of October, 1982, that Petition No. 82-126 the petition of CHARLES P. AND JILL S. CURCIO, by Richard Wensing, Agent, for a SPECIAL EXCEPTION TO ALLOW AN AUTOMOTIVE REPAIR FACILITY on Lots 624 through 627, inclusive, LESS the East 3.0 feet thereof, and TOGETHER with all of Lots 628, 629 and 630, Plat of Kenwood, in Section 24, Township 44 South, Range 42 East, as recorded in Plat Book 3, Page 44. Said property located on the northwest corner of the intersection of Clinton Street and Military Trail (S.R. 809) in an CG-General Commercial District, was approved as advertised subject to the following conditions:

1. Developer shall submit revised site plan displaying the following:
  - elimination of off-street parking along Clinton Boulevard.
  - elimination of 20' existing service alley
  - upgrading of existing landscape material, specifically the front lot
  - the construction of a wall between subject site and residence to the west
2. Petitioner shall seek variance for exceeding thirty five (35) percent lot coverage to accommodate repair enclosure.
3. Developer shall, within ninety (90) days of approval, convey to Palm Beach County the ultimate right of way for Military Trail, 60 feet from centerline. (approximately an additional 7 feet of right of way).
4. Developer shall, within ninety (90) days of approval, submit a certified cost estimate with surety for the construction of Clinton Boulevard from Military Trail to the project's west property line.
5. Developer shall submit a revised site plan eliminating back-up parking onto Clinton Boulevard and Military Trail.
6. Developer shall contribute the sum of One Thousand Two Hundred Dollars (\$1,200.00) toward the cost of meeting this project's direct and identifiable traffic impact, to be paid at the time of issuance of the Building Permit.
7. Developer shall limit hours of operation to 8:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. Saturday and Sunday.
8. Developer shall retain onsite 85% of the stormwater runoff generated by a 3 year storm per requirements of the Permit Section, Land Development Division.

Commissioner Bailey, moved for approval of the petition.

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

Bill Bailey, Member	Aye
Dennis Koehler, Member	Aye
Peggy B. Eva-tt, Vice Chairman -	Aye
Frank H. Foster, Member	Aye
Norman R. Gregory, Chairman -	Aye

The foregoing resolution was declared duly passed and adopted this 8th day of February, 1983, confirming action of 28 October 1982.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: Patrick B. Madden  
Deputy Clerk

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

John Cantel  
County Attorney