

RESOLUTION APPROVING ZONING PETITION 82-42(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 82-42(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28th April 1983, 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 BOOK 297 PAGE 259

- 1 The proposed Special Exception is consistent with the Land Use Plan designation for this property
- 2 The proposal is consistent with the Mandatory Performance Standards of the Comprehensive Plan
- 3 The proposed development meets all property development regulations

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 28th day of April, 1983, that Petition No 82-42(A) the petition of J W CHEATHAM INC , by R G Webb, Agent, for the FURTHER SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A PLANNED INDUSTRIAL DEVELOPMENT PREVIOUSLY APPROVED UNDER ZONING PETITION NO 82-42 TO INCLUDE A HELIPORT, BULK STORAGE OF GAS AND OIL, INCLUDING AN ASPHALT MANUFACTURING FACILITY on the foregoing described 14 16 acre parcel All that part of Tract 26, Block 6, Palm Beach Farms Company Plat No 3, in Section 33, Township 43 South, Range 42 East, as recorded in Plat Book 2, Page 46, lying Easterly of the Sunshine State Parkway together with, the Westerly 174 12 feet of Tract 25 of said Block 6 as measured along the Northerly and Southerly boundary lines of said Tract 25 Said property located on the southeast corner of the intersection of the Sunshine State Parkway and 5th Street North, approxi-

ately 3 mile north of Southern Boulevard (S R 80) was approved as advertised, subject to the following conditions

- 1 The developer shall construct prior to the issuance of a Certificate of Occupancy, per the County Engineer's approval
  - a Clearv Road from Southern Boulevard to the project's north property line, and
  - b A left turn lane, west approach, on Southern Boulevard at it's intersection with Clearv Road
  - c Left turn lane, north approach, on Clearv Road at it's intersection with Southern Boulevard
  - d Right turn lane, east approach, on Southern Boulevard at it's intersection with Clearv Road
- 2 The developer of Lot #10 (the west 554 42 as measured along the north property line), shall contribute Two Thousand Nine Hundred and Thirteen Dollars (\$2,913 00) toward the cost of meeting this project's direct and identifiable impact, to be paid at the time of the building permit. Developers of the remaining portion of this development shall contribute \$62/1000 sq ft of general warehouse building or the published rates for other types of construction 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(s)
- 3 The petitioner shall take reasonable precautions during the development of this project to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties
- 4 The petitioner will take necessary precautions to insure there will be not pollutant runoff from this project to adjacent or nearby surface waters

The Lake Worth Drainage District has requested the north 30 feet of Tract 20, Block 6, lying east of the Sunshine State Parkway, the North 30 feet of Tract 24, Block 6, the North 30 feet of Tract 50, Block 5, and the North 30 feet of the 1/2 of Tract 40, Block 5, all according to the Plat of Palm Beach Farms Co Plat No 3 for the right of way for Lateral Canal No 4. The property owner shall convey said right-of way by either a Quit Claim Deed or an Easement on a form acceptable to the District
- 5 In order to prevent groundwater contamination via the septic tank, only toilets and accessory lavatories may be connected to the septic tank and drainfield. All other waste water and fluid disposal, including floor drains must be accomplished with applicable hazardous waste disposal and environmental control regulations
- 6 This development must retain onsite 85% of the stormwater runoff generated by the three year storm per the requirements of the Permit Section Land Development Division
- 7 The helistop may be used only between the hours of 8 00 a.m. and 6 00 p.m.
- 8 The developer shall install a caution light at the intersection of Clearv Road and Southern Boulevard if and when warranted by the Department of Transportation (DOT)
- 9 Turning lane tapers should not be less than 150', and the storage lanes should be predicated on the volume of traffic but not less

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

Peggy E. Evatt, Chairman	- AYE
Ken Spillias, Vice Chairman	- AYE
Dennis Pr Kochler, Member	- AYE
Dorothy Wilken, Member	- ABSENT
Bill Bailey, Member	- AYE

The foregoing resolution was declared duly passed and adopted this 19th day of July, 1983, confirming action of 28th April 1983.

FILED THIS 19<sup>th</sup> DAY OF July 19 83  
AND RECORDED IN RESOLUTION  
MINUTE BOOK NO. \_\_\_\_\_ AT \_\_\_\_\_  
PAGE \_\_\_\_\_ RECORD VERIFIED  
BY John B. Dunkle, Clerk DC  
Dreding Matheson

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk,

By: [Signature]  
Deputy Clerk

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

[Signature]  
County Attorney

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