

RESOLUTION NO . R- 83-1080

RESOLUTION APPROVING ZONING PETITION 83-87, 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 482.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 83-87 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23rd June 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:

1. The proposed special exception is permitted by the Land Use Plan designation and Zoning Code.
2. Provided that safeguards are imposed to prevent ground-water contamination the proposal meets the requirements of the Mandatory Performance Standards.
3. The proposed design does not accommodate adequate parking or access.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 23rd day June 1983, that Petition No. 83-87 the petition of EXCHANGE COURT PROPERTIES By Christopher H. Cook, Agent, for a SPECIAL EXCEPTION TO ALLOW AN AUTOMOTIVE REPAIR FACILITY on Lot 7, according to the plat of the Cleveland Grove acres, in Section 36, Township 43 South, Range 42 East, as recorded in Plat Book 9, Page 26, subject to the right-of-way for Military Trail (S.R.809). Said property located on the west side of Military Trail (S.R.809) approximately 1 mile south of Belvedere Road in a CG-General Commercial District was approved as advertised subject to the following conditions:

1. This development must retain onsite 85% of the storm water runoff generated by a three (3) year storm per

requirements of the permit Section, Land Development Division.

2. The developer shall contribute Eleven Thousand Sixty-Three Dollars (\$11,063.00) toward the cost of meeting this project's direct and identifiable impact, to be paid at the time of the building permit.
3. 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.
4. The developer shall take necessary measures during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters.
5. The automotive service area shall not have floor drains. Lubricants, cleaning compounds and other similar products resulting from automotive repair activities will be disposed of by industrial waste disposal methods acceptable to the Palm Beach County Health Department.
6. The site plan shall be redesigned to provide for adequate fire access, required parking, loading, and internalized service courts prior to site plan certification.
7. Hours of operation shall be limited to the time between 7:00 a.m. and 7:00 p.m.
8. No outside display or storage of equipment, supplies or refuse and all repairs shall be performed within a completely enclosed building.

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:

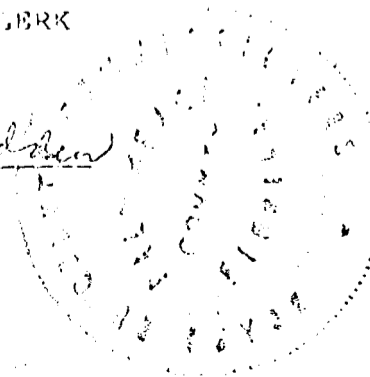
Peggy E. Evatt, Chairman	--	AYE
Ken Spillias, Vice Chairman	--	ABSENT
Dennis P. Koehler, Member	--	AYE
Dorothy Wilken, Member	--	AYE
Bill Bailey, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this day of SEP 13 1983, confirming action of 23rd. June 1983.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Judy Madden
Deputy Clerk



APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John Barrett
County Attorney