

RESOLUTION NO. R- 83-1084

RESOLUTION APPROVING ZONING PETITION 83-89, 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. 83-89 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 consistent with the Comprehensive Plan.
2. Provided the site plan is amended to correct parking access, and landscaping requirements, the site can be developed for the proposed use in conformity with Zoning Code requirements.

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. 83-89 the petition of STANLEY M. LEVY AND GEORGE R. PATTON by Beril Kruger, Agent, for a SPECIAL EXCEPTION TO ALLOW THE EXPANSION OF AN EXISTING USED CAR LOT TO INCLUDE COMMERCIAL NEW AND USED AUTOMOBILE WHOLESALE, RETAIL, SALE AND RENT AND REPAIR FACILITIES AND LOTS on Lots 1 thru 10, inclusive, Less the West feet thereof, and Lots 19 thru 24, inclusive, Block 24, Del-Raton Park in Section 28, Township 46 South, Range 43 East, as recorded in Plat Book 14, Page 9 and together with the alley right-of-way abandoned by Official Record Book 1754, Page 613. Said property located on the southeast corner of the intersection of U.S. Highway No. 1 and Avenue F, approximately .5 miles south of Linton Boulevard in an 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 obtain an abandonment of the existing 10' alley and this abandonment shall be reflected on the site plan.
3. The developer shall construct concurrent with a paving and drainage permit issued from the office of the County Engineer;
 - a) right turn lane, south approach on U.S. 1 at the project's entrance road.
 - b) non-mountable curb on both sides of the existing median a distance of 50 feet on U.S. 1 at the project's entrance.
4. The developer shall contribute Seven Hundred and Fifty Dollars (\$750.00) toward the cost of meeting this project's direct and identifiable impact, to be paid at the time of the building permit.
5. 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.
6. The developer shall take necessary measures during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters.
7. No new structures shall be permitted within 150 feet of the east right-of-way line of U.S. Highway #1.
8. The site plan shall be revised prior to site plan certification to reflect required parking, access, landscaping and sign setbacks.
9. No general auto repair shall be permitted on the subject property.
10. Lots #6 to 10 shall be restricted to parking and signage only.
11. Hours of operation shall be limited to the period between 7:00 A.M. and 9:00 P.M.
12. There shall be no access to Frederick Boulevard from this property.

Commissioner **Bailey** , moved for
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	- -	ABSENT
Bill Bailey, Member	--	AYE

The foregoing resolution was declared duly passed and
adopted this day of **SEP 13 1983** , confirming action of
23rd. June 1.983.

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as follows :

Peggy E. Evatt, Chairman	-- AYE
Ken Spillias, Vice Chairman	-- ABSENT
Dennis P. Koehler, Member	-- AYE
Dorothy Wilken, Member	-- ABSENT
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: *Rudy Maddox*
Deputy clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John Cabell
County Attorney

