

RESOLUTION NO. R- 83-1436

RESOLUTION APPROVING ZONING PETITION 83-122, **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. 83-122 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 25th August 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 to expand a previously approved auto dealership is consistent with the requirements of the Comprehensive Plan and Zoning Code.
2. The proposed development should not have any adverse impacts upon adjoining properties.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, OF PALM BEACH COUNTY, FLORIDA, assembled in regular session **this** 25th day August 1983, **that**. Petition No. 83-122 the petition of UNITED MANAGEMENT CORPORATION By Ervin Keel, Agent, for a SPECIAL EXCEPTION TO ALLOW A COMMERCIAL USED AUTOMOBILE SALES FACILITY AND LOT on a parcel of land **lying in** the Southwest 1/4 of Section 17, Township 42 South, Range 43 East ; **lying** Easterly of the Florida **East Coast Railway** and Westerly of the right-of-way line of S. R. Alternate A1A, being more particularly described as follows:

Commencing at the Southeast corner of the Southwest 1/4 of said Section 17; thence North 88°29'36" West along the South line of said Section 17 a distance of 733.66 feet to a point on the Baseline of Survey for S.R. Alternate A1A as shown on Florida Department of Transportation

**right-of-way** Map Section No. 93090-2522; thence North  $20^{\circ} 50' 16''$  West along **said Baseline a distance of 1164.25 feet** to a Point; thence South  $69^{\circ} 09' 44''$  West a **distance of 55.00 feet to the point of curvature** of a curve concave to the Southwest, **having a radius of 6195.45 feet and a central angle of  $00^{\circ} 15' 19''$** ; thence Northwesterly along the arc of **said curve** and Westerly **right-of-way line** of S. R. Alternate A1A a distance of 27.60 feet to the **Point of Beginning** of the hereinafter described parcel; thence continuing along the arc of **said curve** and right-of-way through a **central angle of  $01^{\circ} 54' 58''$**  an arc **distance of 207.19 feet** to the **point of intersection** with the West **line** of the Southeast 1/4 of the Southwest 1/4 of **said Section 17, having a radial bearing at this point of South  $66^{\circ} 59' 27''$  West**; thence South  $01^{\circ} 33' 29''$  West along **said West line a distance of 224.02 feet to a point**; thence North  $69^{\circ} 09' 44''$  East a **distance of 89.75 feet to the Point of Beginning**. **Said property located on the west side of State Road A-1-A, approximately .2 miles north of Northlake Boulevard (S.R. 809A) in an CG-General Commercial District** was approved as advertised subject to the following conditions:

1. The development **shall** 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** request revision of the **Florida** Department of Transportation construction plans for S. R. Alt. A1A **to include** the construction of a **left turn lane, south approach, on A1A at the project's north entrance drive prior to the construction of S. R. Alt. A1A. The applicant shall be responsible for any change order associated with the revision of these plans.**
3. **This development (including the new automobile dealership contiguous to the north) shall be permitted only two ingress/egress driveways at the main entrance and one exit drive at the south end of the property onto S. R. Alt. A1A from the site per the County Engineer's approval.**
4. The **developer shall contribute One Thousand Two Hundred and Fifty Dollars (\$1,250.00) 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 floor drains or repair area basins may be connected to either the septic tank or onsite retention system. All solvents, petroleum products, etc. shall **be dis-**

posed of in accordance with appropriate hazardous waste disposal methods acceptable to the **Health Department**.

8. The subject property shall be joined with a **Unity of Title** to the parcel to the north prior to **Site Plan Certification**.

Commissioner **Wilken**, 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, <b>Chairman</b>	-- <b>ABSENT</b>
Ken <b>Spi</b> llias, <b>Vice Chairman</b>	-- <b>AYE</b>
<b>Dennis</b> P. Koehler, Member-	-- <b>AYE</b>
Dorothy <b>Wilken</b> , Member	-- <b>AYE</b>
<b>Bill</b> Bailey, Member	-- <b>ABSENT</b>

The foregoing resolution was declared **duly** passed and adopted **this** 8th day of **Novembgr**, 1983, confirming action of 25th August 1983.

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

FILED THIS... **NOV 8 1983** ... DAY OF  
..... 19....  
AND RECORDED IN RESOLUTION  
MINUTE BOOK NO. .... AT  
PAGE ....., RECORD VERIFIED  
**JOHN B. DUNKLE, CLERK**  
BY: *Grace Meier* ..... D.C.

**R 83 1436**