

RESOLUTION NO. R-84-173

RESOLUTION APPROVING ZONING PETITION 83-140, Special Exception

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to **the** authority vested in Chapter IC3 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. 83-148 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 27th October 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 development is consistent with the Land Use Plan designation for this property.
2. In order to **meet the** Mandatory Performance Standards, the proposed development must be limited to office and warehouse use.
3. The proposed development can be accommodated to the site meeting all Zoning Code property development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 27th day October 1983, that Petition No. 83-140 the petition of SEYMOUR A. FINE, for a SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT, INCLUDING AN OFFICE-WAREHOUSE COMBINATION on **the** East 301.88 feet of Lot 5, less **the** South 17 feet thereof, of Adams Subdivision in Section 1, Township 43 South, Range 42 East as recorded in Plat Book 20, Page 23. Said property located on the north side of 45th Street (S.R. 702), approximately .1 mile west of Military Trail (S.R. 809) was approved as advertised subject to the following conditions:

1. This development shall be limited to office and warehouse use only in order to meet the requirements of the Mandatory Traffic Performance Standards.
2. This 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.
3. The property owner shall convey *for* the ultimate right-of-way of 45th Street, 60 feet from centerline approximately an additional 10 feet within 90 days of approval; conveyance must be accepted by Palm Beach County prior to issuance of first building permit.
4. The developer shall construct concurrent with a paving and drainage permit issued from the Office of County Engineer on 45th Street at both project's entrances, a left turn lane, west approach and a right turn lane, west approach and a right turn lane, east approach.
5. The developer shall contribute Six Thousand Eight Hundred and Thirty-Eight Dollars (\$6,838.00) toward the cost of meeting this project's direct and identifiable impact, to be paid at the time of the building permit.
6. 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.
7. The developer shall take necessary measures during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters.

Commissioner Bailey , moved for approval ,
of the petition. The motion was seconded by Commissioner Wilken ,
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	--	ABSENT
Dorothy Milken, Member	--	AYE
Bill Bailey, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this day of JAN 31 1984 , confirming action of 27th October 1983.