

RESOLUTION NO. R-84-515

RESOLUTION APPROVING ZONING PETITION 83-171, 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. 83-171 was presented, to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 22nd December 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 requirement of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 22nd day December 1983, that Petition No. 83-171 the petition of G. AND G. ENTERPRISES AND EL-MOR REALTY, INC., By Beril Kruger, Agent, for a SPECIAL EXCEPTION TO ALLOW CHEMICAL STORAGE TANKS on the Southeast corner of Section 25, Township 47 South, Range 41 East, as surveyed by the State of Florida in May and June 1912 and as shown on the Right-of-Way Map of the Florida State Road Department in their survey of State Road No. 7 in February 1941 as Project 5268; run (for convenience the South line of said Section 25 is assumed to bear North 88 degrees 54' 16" West and all other bearings mentioned herein are relative thereto) thence North 88 degrees 54' 16" West along the South line of said Section 25 a distance of 148.58 feet to the Westerly right-of-way line of State Road No. 7; thence North along said right-of-way line a distance of 43.53 feet to an angle point; thence North 0 degrees 28' 33" East

continuing along said **right-of-way** line a distance of 501.26 feet to a point in the North right-of-way **line** of Sandalfoot Boulevard as same is recorded in Official Record **Book** 1848, Page 1615, thence North 89 degrees 41'69" West along said right--of-way of Sandal foot Boulevard 99.00 feet; thence North 00 degrees **28'33"** East 200.00 feet to the Point of **Beginning** and the Southeast corner- of the herein described parcel; thence continue North 00 degrees **28'33"** East 294.43 feet; thence North 89 degrees **23'54"** West 228.68 feet; thence South 00 degrees **28'33"** West 293.17 feet; thence South 89 degrees **04'09"** East 220.68 feet, more or less, to the Point of Beginning. Said property located on the west side of **S. R. #7 (U.S. 441)**, approximately **.7** mile south of Palmetto Park Road in an CG-General **Commercial** District was approved as advertised **subject** to the following conditions:

1. **The** development shall retain **onsite 85%** of the stormwater runoff generated by a three **(3)** year storm **per** requirements of the Permit Section, Land Development Division.

2, The property owner shall reserve **for dedication** at no cost to Palm Beach County, **the** ultimate right-of-way for State Road 7, two hundred **(200)** feet west of the west right-of-way kine of the E-1 Canal., Dedication **shall** be made. when requested to permit actual roadway widening.

3. Prior to site plan certification, the site plan shall be amended to provide a detail specifying the following:

- a) a concrete base enclosure for each tank connected to the property's sanitary sewer lines.
- b) steel or concrete **posts** to prevent vehicle collisions with. the tanks.
- c) a solid wood enclosure around the tanks to provide screening-from **adjoining** properties.

Commissioner **Wilken** , moved for approval of the petit ion.

The mot ion was seconded by Commissioner Koehler ,

and upon being **put** to a vote, the vote was as follows:

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

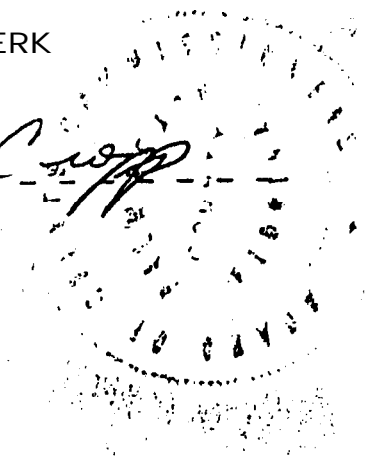
The foregoing resolution was declared duly passed and adopted this **17th** day of April, **1984** , confirming action of 22nd December 1983.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

Lisa Cropp
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

John Gilbert
County Attorney