

RESOLUTION **APPROVING** ZONING PETITION 84-42, **Special** Exception

**WHEREAS**, the Board of County **Commiesioners**, **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.S** of the **Palm** Beach County **Zoning** Code Ordinance No. 73-2 have been **satisfied**; and

**WHEREAS**, **Petition** No. 84-42 **was** presented **to the Board** of County Commissioners of Palm **Beach** County at **its** public hearing conducted on 29th March **1984**; 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 **requirements** 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** 29th day March **1984**, **that** **Petition** No. **84-42** the **petition** of **J.A. AND GENOVEVA JETTINGHOFF** By **Beri** 1 Kruger, **Agent**, for a **SPECIAL EXCEPTION TO ALLOW A HEAVY EQUIPMENT SALES AND REPAIR FACILITY AND LOT** on the North 264 feet of the West **1/2** of the Southwest **1/4** of the Southwest **1/4** of the Northwest **1/4** of **Section 12**, Township 46 South, Range 42 East, **less** the **right-of-way of S. R. 889** (Military Trail). **Said** property **located** on the **east side of Military Trail (S.R. 809)**, approximately .4 **mile** north of Lake Ida Road in a **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 requirement<sup>5</sup> of the **Permit Section, Land Development Division.**
2. The property owner shall convey for the **ultimate** right of way of **Military Trail, 68 feet from centerline approximately an additional 20 feet within 90 days of approval**; conveyance must be accepted by **Palm Beach County prior to issuance of first building permit.**
3. The development shall be permitted **only one Joint access** onto **Military Trail.**
4. The **developer shall contribute One Thousand Three Hundred & Twenty Five Dollars (\$1,325.00)** toward the cost of meeting **this project's direct and identifiable impact, to be paid at the time of issuance of the Building Permit.**
5. Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from **this property** do not become a nuisance to neighboring properties.
6. Reasonable measures shall be employed during site development to insure that no pollutants from **this property shall enter adjacent or nearby surface water.**
7. Prior to certification, the site plan shall be amended to provide for:
  - a) a **six foot high solid masonry wall** along the east property line supplemented by **12' to 14' canopy trees planted at twenty feet on center.**
  - b) **screening** around the outdoor display area along **Military Trail** frontage and south property line consisting of a **minimum of a six foot high solid wood fence** supplemented by **12' -14' canopy trees** planted on the **outside** of the fence at twenty feet on center, and
  - c) north/south **orientation of any service bays.**

**Commissioner Koehler**, moved for approval of the **petition.**

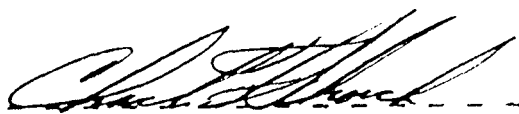
The motion was seconded by **Commissioner Spillias**,

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

<b>Ken Spillias, Chairman</b>	-- AYE
<b>Dorothy Wilkens, Vice Chairman</b>	-- NAY
<b>Peggy Evatt, Member</b>	-- ABSENT
<b>Dennis P. Koehler, Member</b>	-- AYE
<b>Bill Bailey, Member</b>	-- ABSENT

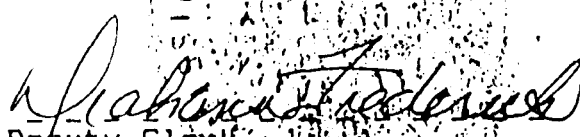
The foregoing resolution was declared duly passed and adopted **this 14th day of Aug., 1984**, confirming action of 29th March 1984.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
County Attorney

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:   
Deputy Clerk