

RESOLUTION NO. R-84-1166

RESOLUTION APPROVING ZONING PETITION 84-49, 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. 84-49 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 26th of April 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 **similar** to the permitted uses in the IL District and is consistent with the requirements of the Comprehensive Plan and Zoning Code.
2. Owing to the location within a developing industrial park, the proposed use is consistent with surrounding land uses.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 26th day of April 1984, petition of **ALTERMAN** TRANSPORT LINES, INC., By James D. **Carlton**, Agent for a SPECIAL EXCEPTION TO ALLOW A TRUCKING TERMINAL on Parcel "J", Plat No. 1, Central Industrial Park, in Section 30, Township 42 South, Range 43 East. as recorded in Plat Book 30, Page 37, less the North 16.0 feet thereof, together with a portion of Parcels "I" and "J" of Plat No.1, Central Industrial Park, as recorded in Plat Book 30, Page 37, being more particularly described as follows: Commencing at the Southeast corner of said Parcel "I"; run thence North 87 degrees 40'36" West along the South line of Parcel "I" and its Westerly extension, a distance of

290.00 feet to the Point of Beginning, of the herein described parcel; thence continue North 87 degrees 40'36" West, a distance of 290.63 feet to a point in the Easterly right-of-way of Byron Drive as shown on said Plat No. 1; thence North 1 degrees 35'56" East, along the East right-of-way of Byron Drive, a distance of 200.02 feet; thence South 87 degrees 40'36" East, a distance of 293.16 feet to a line parallel with the 290 feet Westerly from the East line of said Parcel "I"; thence South 2 degrees 19'24" West along said parallel line, a distance of 200.00 feet to the Point of Beginning, and beginning at the Southeast corner of said Parcel "I"; run thence North 87 degrees 40'36" West along the South line of Parcel "I" and its Westerly extension, a distance of 290.00 feet; thence North 2 degrees 19'24" East, a distance of 200.00 feet; thence South 87 degrees 40'36" East, a distance of 290.00 feet to the East line of Parcel "I"; thence South 2 degrees 19'24" West along the East line of Parcel "I", a distance of 200.00 feet to the Point of Beginning, together with a parcel of land lying and being in Parcel "I" of Plat No. 1 Central Industrial Park, as recorded in Plat Book 30, Page 37, being more particularly described as follows: Commencing at the Southwest corner of said Parcel "I" thence Northerly along the West line of said Parcel "I" on a bearing of North 1 degrees 35'56" East, (said bearing being parallel with the West line of the Northwest 1/4 of Section 30, a distance of 184.02 feet to the Point of Beginning; thence continue North 1 degrees 35'56" East along the West line of said Parcel "I" a distance of 104.34 feet; thence South 86 degrees 59'37" East a distance of 584.53 feet to a point in the East line of said Parcel "I", thence South 02 degrees 19'24" West along the East line of said Parcel "I" a distance of 97.36 feet; thence North 87 degrees 40'36" West a distance of 583.17 feet to the Point of Beginning. Said property located on the east side of Byron Drive approximately .3 mile north of Blue Heron Boulevard and being bounded on the east by Enterprise Drive in a IL-Light Industrial District was approved as advertised subject to the following conditions:

1. Prior to site plan certification, the developer shall submit a tree survey and shall revise the site plan to provide **for the preservation** of as many existing significant trees as possible.

2. 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.
3. The developer shall contribute Two Thousand Four Hundred and Seventy Five Dollars (\$2,475.00) toward the cost of meeting this project's direct and identifiable impact, to be paid at the time of issuance of the Building Permit.
4. 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.
5. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
6. The underground fuel storage tanks shall be installed to provide maximum protection against leakage or spillage due to corrosion, breakage, structural failure, or other means. Acceptable designs for tank construction include cathodically protected steel, glass fiber reinforced plastic, steel clad with glass fiber-reinforced plastic, double-walled steel or plastic; or other equivalent design. The design and installation plans will be submitted to the Health Department for approval prior to installation.

Commissioner **Evatt** , 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:

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


The foregoing resolution was declared duly passed and adopted this **AUG 21 1984** , confirming action of the 26th of April 1984.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Trudy Mathews  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
County Attorney

