

RESOLUTION NO. R-84-1172

RESOLUTION APPROVING ZONING PETITION 84-53, 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. 84-53 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 27th 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 consistent with the requirements of the Comprehensive Plan.
2. The proposed site plan can be redesigned so that this development could meet all Zoning Code requirements.
3. The proposed use is compatible with the development of surrounding properties.

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 GULF OIL CORPORATION By W. Douglas Snyder, Agent, for a SPECIAL EXCEPTION TO ALLOW GASOLINE PUMP ISLAND FACILITIES AND SELF SERVICE CAR WASH on a parcel of land in the Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 24, Township 43 South, Range 42 East, being more particularly described as follows:

Commence at the intersection of the Northerly right-of-way line of Okeechobee Road and the Easterly right-of-way line of Haverhill Road and run thence North 01 degrees 55'56" East along the Easterly

right-of-way line of Haverhill Road 200 feet to an iron pipe; thence South 88 degrees 57'24" East 200 feet to an iron pipe; thence South 01 degrees 55'56" ,West 200 feet to an iron pipe on the Northerly right-of-way line of Okeechobee Road; thence North 88 degrees 57'24" West along the Northeastly right-of-way line of Okeechobee Road 200 feet to the Point of Beginning. Said property located on the northeast corner of the intersection of Okeechobee Road and Haverhill Road in a CG-General Commercial District was approved as advertised subject to the following conditions:

1. Prior to site plan certification:
 - a. The petition **must** obtain written confirmation from the County Water Utilities Department that the moratorium on sewer connections to Meadowbrook Utilities system has been lifted.
 - b. The site plan must be revised to conform to all property development regulations.
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 property owner shall convey for the ultimate right of way of Haverhill Road, 64 feet **from centerline** and convey for the ultimate right of way of Okeechobee Boulevard, 76 feet from centerline within 90 days of approval; conveyance must be accepted by **Palm Beach**, County prior to issuance of first building permit.
4. The developer shall contribute Twelve Thousand One Hundred Thirty Two Dollars Dollars (\$12,132.00) 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 waters.
7. 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 Koehler , **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

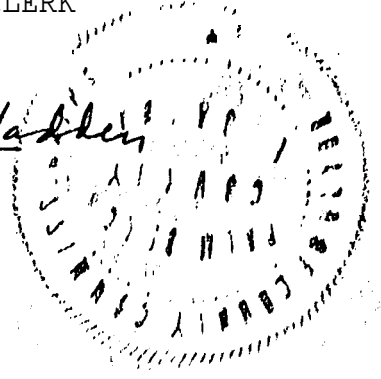
The foregoing resolution was declared duly passed and adopted
this AU6 21 1984 , confirming action of 27th of April 1984.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

Trudy Maddox
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Charles H. [Signature]
County Attorney