

RESOLUTION NO. R-84-1182

RESOLUTION APPROVING ZONING PETITION 79-73(A), 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. 79-73(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 24th of May 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 site plan amendment 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 the 24th of May 1984, the petition of COMMERCE PARK OF PALM BEACH COUNTY, INC., By Alan J. Ciklin, Agent, THE SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR COMMERCE PARK AT WELLINGTON PLANNED INDUSTRIAL DEVELOPMENT PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 79-73, TO INCLUDE A RESTAURANT ON LOTS 13 AND 14 on a parcel of land in Parcel D of the Plat of Commerce Park At Wellington, Planned Industrial Development as recorded in Plat Book 43, Page 116, being more particularly described as follows:

Commencing at the Northeasterly corner of said Parcel D of Commerce Park At Wellington, Planned Industrial Development; thence North 89 degrees 36'27" West, along the Northerly line of said Parcel D of Commerce Park At Wellington, Planned Industrial Development, a

distance of 837.36 feet; thence South 45 degrees 49'10" West, a distance of of 35.09 feet; thence south 01 degrees 14'48" West, along the Easterly right-of-way line of Fortune Way as shown on the said Plat of Commerce Park At Wellington, Planned Industrial Development, a distance of 416.13 feet to the Point of Beginning; thence continue South 01 degrees 14'48" West, along said Easterly right-of-way line of Fortune Way and it's Southerly Extension, a distance of 354.85 feet; thence South 44 degrees 10'49" East, a distance of 35.62 feet, thence South 89 degrees 36'27" East, a distance of 204.62 feet; thence North 01 degrees 14'48" East, a distance of 380.22 feet; thence North 89 degrees 36'27" West, a distance of of 230.00 feet to the Point of Beginning. Said property located on the property located on the northeast corner of the intersection of Fortune Way and Fortune Circle in an IL-Light Industrial District, was **approved** as advertised subject to the following conditions:

1. The gross area of the restaurant shall be limited to 2000 square feet.
2. The restaurant location shall be exactly as shown on the proposed site plan as presented to the Board of County Commissioners.
3. Petitioner shall comply with the conditions of the previously approved petition as per Resolution No. R-81-59.
4. 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.
5. The developer shall contribute Five Thousand Dollars (\$5,000.00) toward the cost of meeting this project's direct and identifiable impact, to be paid at the time of issuance of the Building Permit.
6. 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.
7. Reasonable measures shall be employed during site development to, insure that no pollutants from this property shall enter adjacent or nearby surface waters.

Commissioner Koehler , 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:

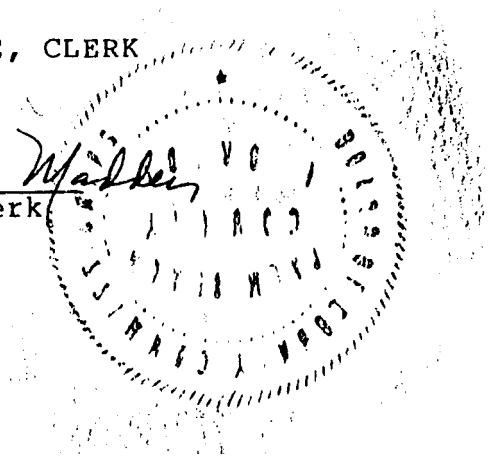
Ken Spillias, Chairman -- AYE  
Dorothy Wilkens, Vice Chairman -- AYE  
Peggy Evatt, Member -- ABSENT  
Dennis P. Koehler, Member -- AYE  
Bill Bailey, Member -- AYE

The foregoing resolution was declared duly passed and adopted  
this AUG 21 1984 I confirming action of the 24th of May  
1984.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Freddie Walker  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

Charles E. ...  
County Attorney