

RESOLUTION NO. R-84-1307

RESOLUTION APPROVING ZONING PETITION 84-82, 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. 84-82 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 29th of June 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 project is consistent with the requirements of the Comprehensive Plan.
2. The proposed project can meet the requirements of the Zoning Code with minor modifications to the site plan.
3. The traffic attributed to this proposal constitutes less than ten percent of that amount defined as "significant impact", with respect to Military Trail.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 29th of June 1984, the petition of SMITH M. AND AUDREY E. BLANCHARD By Kevin McGinley, Agent, for a SPECIAL EXCEPTION TO ALLOW A COMMERCIAL, NEW AND USED AUTOMOBILE, TRUCK, BOAT, MOTORCYCLE, MOBILE HOME, RECREATIONAL VEHICLE SALE AND RENTAL AND REPAIR FACILITIES AND LOTS on Lots 39-43 inclusive and Lots 44-47 inclusive, less the West 3 feet thereof;

Together with the 20 foot Service Road lying adjacent to and Westerly of Lot 43 bounded on the North by the Westerly Extension of

the Northerly line of Lot 43 and on the South by the Westerly extension of the Southerly line of Lot 43;

Also, together with the Northerly 50 feet of Springfield Street bounded on the West by the Southerly extension of the Westerly line of Lot 44 and on the East by the Southerly Extension of the Easterly line of Lot 39, less the Westerly 3 feet thereof of Springfield Street, in Section 24, Township 44 South, Range 42 East according to the plat of Kenwood as recorded in Plat Book 3, Pages 44 & 45. Said property located on the northeast corner of the intersection of Military Trail (S.R.809) and Springfield Street in a CG-General Commercial District was approved as advertised subject to the following conditions:

1. Prior to certification of the site plan by the Site Plan Review Committee, the site plan shall be modified to reflect following:

- a) Delineation of the display parking areas.
- b) The addition of a six foot high wall around the non-frontage perimeters of the site.

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 Military Trail, 60 feet from centerline approximately an additional 7 feet within ninety (90) days of Special Exception approval. Conveyance must be accepted by Palm Beach County prior to the issuance of the first building permit. This right of way is required for the relocation of utility poles along Military Trail.

4. The Developer shall pay a fair share fee in the amount and manner required by "The Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. Presently The Fair Share Fee for this project is \$1475.00.

If the Fair Share Contribution for Road Improvements Ordinance is amended to increase the Fair Share Fee this amount shall be credited toward the increased Fair Share Fee.

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 use shall be limited to the sale and minor repair of automobiles. Cambridge Street shall not be used for testing of vehicles.

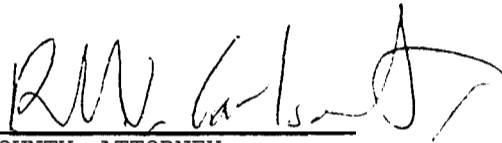
8. All repair activity shall be conducted within enclosed structures. Repair activity shall be limited to the hours of 8:00 A.M. to 6:00 P.M.

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	-- ABSENT
DOROTHY H. WILKEN, VICE-CHAIRMAN	-- AYE
PEGGY B. EVATT	-- AYE
DENNIS P. KOEHLER	-- AYE
BILL BAILEY	-- ABSENT

The foregoing Resolution was declared duly passed and adopted this 11th day of September, 1984, confirming action of the 29th of June, 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

