

RESOLUTION NO. R-84-1843

RESOLUTION APPROVING ZONING PETITION 84-48, 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. 84-48 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 30th July 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 proposal is consistent with the requirements of the Zoning Code and Comprehensive Plan.

WHEREAS, this petition was approved as amended to include a Special Exception for a Planned Commercial Development; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 30th day July, 1984, that Petition No. 84-48 the petition of WILLIAM BIPPUS By Alan J. Ciklin, Agent, for a SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT on the Southerly 698.65 feet of the West 100.00 feet of the East 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 18, Township 42 South, Range 43 East, less the Southerly 75.00 feet thereof for roadway purposes. Together with the Southerly 307.47 feet of the East 10.00 feet of the West 110.00 feet of the East 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 18, Township 42 South, Range 43 East, less the Southerly 75.00 feet thereof for roadway purposes. Said property

located on the northeast corner of the intersection of Lake park West Road (S.R.809(A)) and Silverthorne Road approximately .3 mile east of 1-95 was approved as advertised as subject to the following conditions:

1. Two way traffic flow through the parking area shall be provided on the project design or the design shall be revised to satisfactorily maintain desired one way traffic flow.
2. The development shall retain onsite 100% of the stormwater runoff generated by a three (3) year one hour storm per requirements of the Permit Section, Land Development Division.
3. The property owner shall convey for the ultimate right of way of Silverthorne Road, 30 feet east of the west property line within 90 days of adoption of the resolution by the Board of County Commissioners; conveyance must be accepted by Palm Beach County prior to issuance of first building permit.
4. The developer shall construct concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer Silverthorne Road from Northlake Boulevard to the project's north property line.
5. Access to the site shall be limited to Silverthorne Road.
6. The developer shall pay the 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 \$2,400.00, for use as a furniture store only. If a subsequent use is placed in the structure, the impact fee shall be recalculated by the County Engineer's office. If the Fair Share Contribution for Road Improvements Ordinance is amended to increase the fair share fee, this amount shall be credited towards the increased fair share fee.

7. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year one hour storm per requirements of the Permit Section, Land Development Division.
8. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
9. The property owner shall grant an access easement to the properties to the north and east, along the north property line, prior to certification of the site plan. In the alternative, the petitioner may convey a sixty foot wide right-of-way to the county, for the extension of North 91st Street.
10. Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particulates) from this property do not become a nuisance to neighboring properties.

Commissioner Bailey , 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:

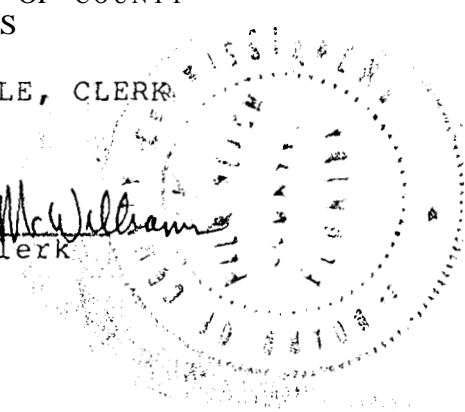
Ken Spillias, Chairman	-- AYE
Dorothy Wilkens, Vice Chairman	-- AYE
Peggy Evatt, Member	-- ABSENT
Dennis P. Koehler, Member	-- AYE
Bill Bailey, Member	-- AYE

The foregoing resolution was declared duly passed and adopted this day of DEC 1 1984, confirming action of
30th July 1984.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Donna McWilliams
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Lauder Brown
County Attorney