

RESOLUTION NO. R- 84-1856

RESOLUTION APPROVING ZONING PETITION 84-109, 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. 84-109 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 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 30th day July, 1984, that Petition No. 84-109 the petition of STANDARD CONCRETE CORPORATION By Kevin McGinley, Agent, for a SPECIAL EXCEPTION TO ALLOW A CONCRETE MIXING AND PRODUCT MANUFACTURING on a parcel of land lying in Sections 25 and 36, Township 42 **South**, Range 42 East, being more particularly described as follows:

Commencing at the North 1/4 section corner of Section 36 aforesaid; thence **South** 01 degree 53 ' 30" West, along the North-South 1/4 section line and the centerline of Military Trail, (S.R.809, 100' right-of-way) (the North-South 1/4 section line is assumed to **bear** South 01 degree 53' 30" West and all other bearings are relative thereto), a distance of 358.18 feet to a point of intersection with

the **Southerly** right-of-way line of the Seaboard Coast Line railroad; thence North 53 degrees 41' 47" West, **along the Southerly** right-of-way line of said Seaboard Coast Line Railroad, a distance of 214.03 feet to the point of beginning of the herein described parcel; **thence** continue North 53 degrees 41' 47" West, along the Southerly right-of-way line of said Seaboard Coast Line Railroad, a distance of 859.98 feet to a point; thence **South 01** degrees 53' 30" West, parallel with the North-South 1/4 section line of said Section 36 and departing from the **Southerly** right-of-way line of said Seaboard Coast Line Railroad, a distance of 880.60 feet to a point of intersection with the Northerly right-of-way line of Dyer Road (80' right-of-way per Official Record Book 445, Page 315); thence **South 88** degrees 30' 53" East, **along** the Northerly right-of-way line of said Dyer Road, a distance of 50.0 feet to a point; thence North 01 degree 53' 30" East, parallel with the North-South 1/4 section line of said Section 36 and departing from the Northerly right-of-way line of said Dyer Road, a distance of 321.17 feet to a point; thence **South 88** degrees **06' 31" East**, a distance of 550.0 feet to a point; thence North 01 degree 53' 30" East, parallel with the North-South 1/4 section line of said Section 36, a distance of 73.05 feet to a point; thence **South 88** degrees **06' 31" East**, a distance of 109.49 feet to the Point of Beginning. Said property located on the north side of Dyer Road, approximately 700 feet west of Military Trail (S.R.809), being bounded on the north by Seaboard Coast Line Railroad was approved as advertised **subject** to the following conditions:

1. Prior to certification by the Site Plan Review Committee, the site plan shall **be** amended to reflect:
  - a) Location of all landscaping required pursuant to Ordinance 73-1, Landscape Code.
2. 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.
3. **Reasonable** measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or **nearby** surface waters.
4. Applications and plans for air pollution source construction permits shall **be** filed prior to Site Plan Review.
5. The development shall retain **onsite 85%** of the **stormwater** runoff generated by a three **(3) one hour** year storm per requirements of the

Permit Section, Land Development Division.

G. 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 \$1,500. 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.

7. Any 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 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.

8. Any hazardous wastes generated at this site shall be disposed of as required by law.

Commissioner Bailey, 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:

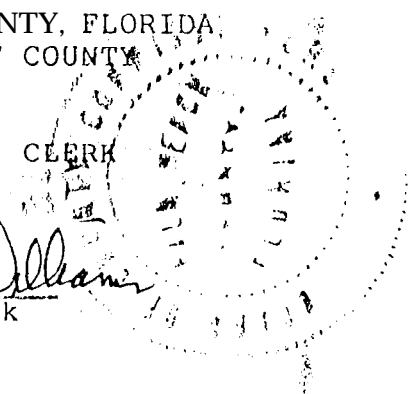
Ken Spillias, Chairman	-- AYE
Dorothy Wilkens, Vice Chairman	-- AYE
Peggy Evatt, Member	-- ABSENT
Dennis P. Koehler, Member	-- ABSENT
Bill Bailey, Member	-- AYE

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

Shirley Sprague  
County Attorney