

RESOLUTION NO. R-84-1857

RESOLUTION APPROVING ZONING PETITION 84-111, 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. 84-111 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 30<sup>th</sup> 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.
2. The project will entail negative aesthetic impacts on adjacent residential uses, because of the character and scale of the proposed structures, and special buffer requirements must be imposed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 30<sup>th</sup> day July 1984, that Petition No. 84-111 the petition of GORAY DEVELOPMENT COMPANY By Lee Starkey, Agent, for a SPECIAL EXCEPTION TO ALLOW AN ENCLOSED STORAGE FACILITY on a parcel of land being a portion of the Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 14, Township 46 South, Range 42 East, said parcel being more particularly described as follows:

Commencing at the Northeast corner of Section 14, thence with a bearing of South 89 degrees 05' 56" West, a distance of 60.00 feet to a point in the West right-of-way line of Military Trail (S.R.809), thence with a bearing of South 0 degree 02' 09" East, along a line

lying 60.00 feet West of and parallel to the East line of Section 14, a distance of 384.48 feet; thence with a bearing of South 89 degrees 18' 47" West, a distance 5.17 feet to the Point of Beginning:

Thence with a curve to the right having a chord bearing of South 2 degrees 13' 36" West, a radius of 10405.40 feet, an arc length of 157.60 feet; thence South 88 degrees 56' 39" West, a distance of 286.59 feet; thence South 1 degree 03' 21" East, a distance of 155.58 feet; thence South 88 degrees 56' 39" West, a distance of 311.88 feet; thence North 0 degree 00' 11" West, a distance of 299.90 feet; thence North 89 degrees 42' 05" East, a distance of 137.93 feet; thence North 31 degrees 41' 35" East, a distance of 21.18 feet; thence North 89 degrees 18' 47" East, a distance of 452.62 feet, more or less to the Point of Beginning. Said property located on the west side of Military Trail (S.R.809), approximately 290 feet north of Conklin Drive in a CG-General Commercial District was approved as advertised subject to the following conditions:

1. Prior to certification by the Site Plan Review Committee, the site plan shall be modified to reflect:
  - a. Placement of the required 6' masonry wall along the western and southern property lines so that tree plantings may be included between the wall and property line (external to the enclosing wall). Adequate space shall be allowed to permit maintenance of the plantings.
  - b. Canopy trees 8' - 10' in height planted 20' on center average, along the southern and western boundaries of the site, placed between the required masonry wall and the property lines.
  - c. Canopy trees 10' - 12' in height, planted 30' on center average, along the site's frontage on Military Trail.
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. 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.
5. The property owner shall convey for the ultimate right of way of Military Trail, 60' feet from centerline approximately an additional 10 feet 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.
6. The developer shall be permitted only one access onto Military Trail within the existing 20 foot ingress/egress easement.
7. 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 \$2,400. 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.

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:

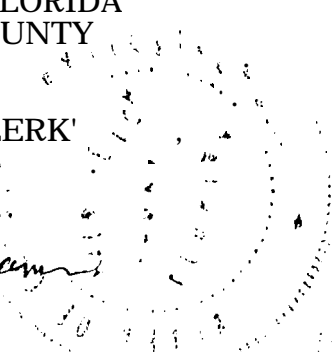
Ken Spillias, Chairman	-- AYE
Dorothy Wilkens, Vice Chairman	-- AYE
Peggy Evatt, Member	-- ABSENT
Dennis P. Koehler, Member	-- ABSENT
Bill Bailey, Member	-- AYE

The foregoing resolution was declared duly passed and adopted this July 1984. day of DEC 11 1984, confirming action of 30th July 1984.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Donna McWilliam*  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

*Deborah M. ...*  
County Attorney