

RESOLUTION NO. R-85-14

RESOLUTION APPROVING ZONING PETITION 78-161(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. 78-161(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 23rd of August 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. With minor modification to the site plan, or variance relief, the proposal will be consistent with the requirements of the Zoning Code.
2. The proposal is consistent with the requirements of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 23rd of August 1984, that Petition No. 78-161(A) the petition of GORAY DEVELOPMENT COMPANY By Lee Starkey, Agent, TO DELETE THE SPECIAL EXCEPTION FOR A PLANNED COMMERCIAL DEVELOPMENT PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 78-161 on South 1/2 of the West 1/4 of Lot 4, Block 4 of the Subdivision of Section 7, Township 44 South, Range 43 East, Plat No. 1, Sheet No. 1, Palm Beach Plantations as recorded in Plat Book 10, Page 20. AND THE FURTHER SPECIAL EXCEPTION FOR ENCLOSED STORAGE FACILITIES on Tract 1; the South 1/2 of the West 1/2 of Lot 4, Block 4, of the Subdivision of Section 7, Township 44 South, Range 43 East, Plat No. 1, Sheet No. 1,

Palm Beach Plantations, as recorded in Plat Book 10, Page 20, less the East 100 feet of the South 260 feet thereof. Together with the West 12 feet of the South 3/4 of the East 1/2 of said Lot 4. Less and except the road right-of-way for Davis Road on the West and Forest Hill Boulevard on the South. Said property located on the northeast corner of the intersection of Davis Road and Forest Hill Boulevard in a CG-General Commercial District was approved subject to the following conditions:

1. Prior to Site Plan Certification the site plan shall be amended to reflect the following:

- a) The impervious area shall be no greater than 85% of the total site area.
- b) Sufficient signage to guide the flow of all internal (especially one way) traffic.
- c) A six-foot wall along the eastern property line, unless variance relief is granted by the Board of Adjustment.

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 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 \$700.00.

5. Developer shall be permitted only one turnout onto Forest Hill Boulevard for this project including the "not included" property to the east.

6. No manufacturing activity shall be permitted on the subject property.

7. A landscape buffer, as shown on the site plan presented to the Board of County Commissioners and *as amended by the Board, shall be shown on the site plan presented to the Site Plan Review Committee for certification.

8. Hours of access to the storage units shall be limited to the hours of 7 A.M. to 7 P.M.

9. Along the Forest Hill Boulevard frontage an additional 20' of setback shall be added to the site plan presented at the Board of County Commissioner's public hearing, and the developer shall install permanent landscaping in such additional setback area.

10. The required masonry wall along the north property line shall be set 2 1/2' south of that line and a landscape hedge placed between the wall and property line.

Commissioner Bailey, moved for approval of the petition. The motion was seconded by Commissioner Evatt, and

upon being put to a vote, the vote **was** as follows:

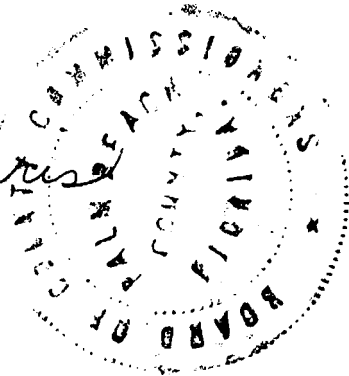
Ken Spillias, Chairman	--	NAY
Dorothy Wilkens, Vice Chairman	--	AYE
Peggy Evatt, Member	--	AYE
Dennis P. Koehler, Member	--	ABSENT
Bill Bailey, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this day of **January** 8, 1985, confirming action of the 23rd of August 1984.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Darkene Harris*
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Sandy Sprague
County Attorney