

RESOLUTION NO. R-85-20

RESOLUTION APPROVING ZONING PETITION 82-93(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. 82-93(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. 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 the 23rd of August 1984, that Petition No. 82-93(A) the petition of COASTAL STORAGE LTD AND HAROLD TOBIN, TRUSTEE By Lee Starkey, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR MINI WAREHOUSE PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 82-93, TO INCLUDE GASOLINE PUMP ISLAND FACILITIES on a parcel of land lying in Section 22, Township 44 South, Range 42 East, being more particularly described as follows:

Commencing at the South 1/4 corner of said Section 22; thence North 89 degrees 14'08" East, along the South line of said Section 22, a distance of 994.88 feet; thence North, a distance of 90.01 feet to the Point of Beginning, said point being further described as a point on the North right-of-way line of Lake Worth Road (S.R.802); thence

South 89 degrees 14'08" West, along said North right-of-way line of Lake Worth Road (S.R.802) a distance of 47.43 feet, to the beginning of a curve concave Southerly, having a radius of 2,924.93 feet and a central angle of 02 degrees 59'28"; thence Westerly and Southwesterly along the arc of said curve, along said North right-of-way line of Lake Worth Road (S.R.802) a distance of 152.70 feet; thence North, a distance of 226.68 feet; thence East a distance of 200 feet; thence South, a distance of 220.00 feet to the Point of Beginning. Said property located on the north side of Lake Worth Road (S.R.802), approximately .1 mile east of Jog Road in a CG-General Commercial District

1. Prior to certification by the Site Plan Review Committee, the official file copy of the site plan shall be amended to reflect landscaping as shown on the site plan submitted to the Board of County Commissioners at the public hearing.
2. The developer shall relocate and/or preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measures shall also be taken to protect any individual trees and/or preservation areas during site clearing and construction.
3. The billboard in the southwest corner of site shall be removed.
4. The development shall retain 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 developer shall relocate the access on Lake Worth Road to the east property line prior to site plan certification.
6. The developer shall construct concurrent with on-site paving and drainage improvements pursuant to a Paving and Drainage Permit issued from the office of the County Engineer, a right turn lane, east approach, at the project's east entrance onto Lake Worth Road.
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 \$13,563.00
8. 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.
9. Reasonable measures shall be employed during site development to insure that no pollutants from this shall enter adjacent ~~or~~ nearby surface waters.
10. 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 steel, glass fiber reinforced plastic, steel clad with glass fiber-reinforced plastic, double-wall steel or plastic; or other equivalent design. The design and installation plans will be submitted to the Health Department for approval prior to installation.

11. The owner of the facility will participate in an oil recycling program which insures proper disposal of waste oil.

12. Any toxic or hazardous waste generated at this site shall be properly handled and disposed in accordance with Chapter 17-30 F.A.C.

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:

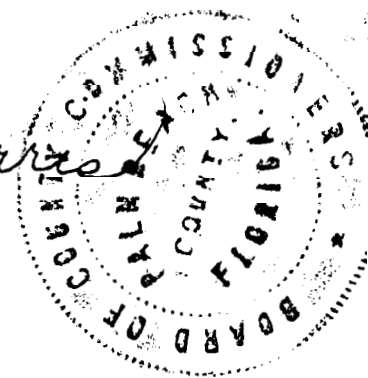
Ken Spillias, Chairman	--	AYE
Dorothy Wilkens, Vice Chairman	--	NAY
Peggy Evatt, Member	--	AYE
Dennis P. Koehler, Member	--	AYE
Bill Bailey, Member	--	AYE

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: Marlene Harris
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Landy Sprague
County Attorney