

RESOLUTION NO. R-85-286

RESOLUTION APPROVING ZONING PETITION **84-133**, 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. **84-133** was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 1st of November 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 1st of November 1984, that Petition No. **84-133** the petition of BARBARA AND JOHN F. DORAN By David Flinchum, Agent, for a SPECIAL EXCEPTION TO ALLOW A COMMERCIAL NEW AND USED AUTOMOBILE LEASING AND SALES FACILITY AND LOT on Lots **1, 2, 3,** and **4,** Block **4** of the Plat "Jupiter Heights" in Section **30,** Township **40** South, Range **43** East, as recorded in Plat Book **23,** Page **69.** Together with:

The East **40** feet of the West **100** feet of Government Lot **2** of Section **30,** Township **40** South, Range **43** East. Said property located on the southeast corner of the intersection of U.S. Highway No. **1 (S.R. 5)** and Inlet Court in a CG-General Commercial District was approved as advertised subject to the following conditions:

1. Prior to certification by Site Plan Review Committee, the site plan shall be amended to reflect:

a) Canopy trees 10' to 12' in height overall with an understory hedge 30" to 36" in height along the eastern property line of the site.

2. 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.

3. The property owner shall convey for the ultimate right of way of U. S. 1, 60 feet from centerline 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. 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.

5. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.

6. No service, repair, or maintenance activities (washing of leased automobiles excepted) shall be permitted at the site.

7. The business operating hours shall be between 8:00 A. M. to 5:00 P. M.

8. Parking of all automobiles shall be on striped and asphalted parking spaces.

9. The sales and leasing activities shall be limited solely to automobiles.

10. No separate signage on the site shall indicate that vehicles are being offered for sale.

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 , FEB 19, 1985 confirming action of the 1st of November 1984.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Patricia S. Weaver*  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

*Janece Sprague*  
County Attorney