

RESOLUTION NO. R-85-315

RESOLUTION APPROVING ZONING PETITION 84-112(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. 84-112(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 29th 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, with minor site plan revision, is consistent with the requirements of the Zoning Code and Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 29th of November 1984, that Petition No. 84-112(A) the petition of HAROLD D. AND FLORINE PREWITT By Lee Starkey, Agent, for a SPECIAL EXCEPTION TO ALLOW A PLANNED INDUSTRIAL DEVELOPMENT on the South 1/2 of Tract 118, Palm Beach Farms Company Plat No. 1, in Section 18, Township 46 South, Range 42 East, as recorded in Plat 2, Pages 26 through 28. Said property located on the north side Delray West Road (S.R.806), approximately .3 mile east of U.S. 441 (S.R.7) was approved as advertised subject to the following conditions:

1. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.

2. The property owner shall convey for the ultimate right of way of Delray West Road, 120 feet north of the existing south right-of-way line of Delray West Road, 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.

3. The Developer shall construct concurrent with onsite paving and drainage improvements pursuant to a Paving and Drainage Permit issued from the office of the County Engineer a left turn lane with access on Delray West Road at the projects west entrance and a right turn lane entrance access on Delray West Road at the projects east entrance.

4. Any fuel or chemical storage tanks shall be installed, protection against leakage or spillage due to corrosion, breakage, structural failure or other means. The design and installation plans will be submitted to the Health Department for approval prior to installation.

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

6. 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.

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

8. 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 \$900.00.

9. The use of the proposed facility shall be restricted to software manufacturing and related activities, with an emphasis on serving agriculturally-related businesses.

Commissioner Owens, moved for approval of the petition. The motion was seconded by Commissioner Adams, and upon being put to a vote, the vote was as follows:

Ken Spillias, Chairman	--	ABSENT
Dorothy Wilkens, Vice Chairman	--	AYE
Karen T. Marcus, Member	--	ABSENT
Jerry L. Owens, Member	--	AYE
Kenneth M. Adams, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this day of FEB 19 1985 confirming action of the 29th 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

Sandy Sprague
County Attorney