

RESOLUTION NO. R- 85-1427

RESOLUTION APPROVING ZONING PETITION 73-43(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. 73-43(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 25th July 1985; 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. This 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 25th of July 1985, that Petition No. 73-43(A) the petition of ARTHUR WOLFOND, TRUSTEE By David Carpenter, Agent for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN, **FOR** A REGIONAL SHOPPING CENTER PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 73-43, TO INCLUDE A CAR WASH FACILITY **on** a portion of Tract "B", West Boca Plaza, in Section **18**, Township 47 South, Range 42 East, as recorded in Plat Book 30, Pages 206 & 207, more particularly described as follows:

Commence at the Southwest corner of Tract "C" of said plat; thence North 00 degree 29'12" West, along the West boundary of said plat, 1,079.72 feet to the Point of Beginning; thence continue North 00 degree 29'12" West, 150.31 feet; thence East, 180.00 feet; thence South 00 degree 29'12" East, 119.50 feet; thence South 29 degrees

33'10" West, 35.42 feet; thence West, 162.67 feet to the Point of Beginning. Said property located on the southeast corner of the intersection of U.S. 441 (S.R. 7) and L.W.D.D. Canal No, 45, being within Shadowwood Square Shopping Center in an CG-General Commercial District was approved as advertised subject to the following conditions:

1. Prior to site plan certification the site plan shall be revised as follows:

a) To provide a complete five (5) foot landscape strip along the area adjacent to the eastern most property line, between the two access points with the abutting Shadow wood Center.

b) To provide a safe corner with respect to the building housing the restrooms, so as to provide **cross** visibility to assist vehicular backing from the detail bays,

2) The development shall retain onsite **100%** 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 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. The Fair Share Fee for this project presently is \$ 1,607.

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) Any fuel or chemical storage tanks shall be installed with 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.

7) 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.

8) The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.

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

Ken Adams, Chairman	--	AY
Karen T. Marcus, Vice Chairman	--	AY
Kenneth Spillias, Member	--	AY
Jerry L. Owens, Member	--	AY
Dorothy Wilken, Member	--	AY

The foregoing resolution was declared duly passed and adopted this ¹⁷ day of September confirming action of the 25th July 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: John Gray Ellington
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Lucy Spagnoli
County Attorney