

RESOLUTION NO. R- 85-1876C

RESOLUTION APPROVING ZONING PETITION 83-81(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. 83-81(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 22nd August 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. With minor modifications to the site plan, this proposal will be 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 22nd of August 1985, that Petition No. 83-81(A) the petition of ROBERT PAVESE, BRIAN COLLINS AND DIANNA DE CAVAGNAC By Kieran Kilday, Agent for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 83-81 TO DELETE THE PLANNED COMMERCIAL DEVELOPMENT AND ALLOW AN AUTOMOBILE REPAIR FACILITY INCLUDING A CAR WASH on a parcel of land lying in the Southwest 1/4 of Section 17, Township 42 South, Range 43 East, being more particularly described as follows:

The South 218.71 feet of the West 208.71 feet of the South 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 17, Township 42 South, Range 43 East, LESS the South 60 feet for county road Right-of-way.

Said property located on the north side of Northlake Boulevard,

approximately 800 feet west of Old Dixie Highway and being bounded on the north by Mango Lane 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 to reflect the following:
 - a) A fifteen (15) foot minimum side interior yard setback.
 - b) A six (6) foot high, solid masonry wall along the north property line where it abuts residentially zoned areas, with 10-12 foot high canopy trees planted 20 feet on center.
 - c) One tree planted every 30 feet on center with an overall height of 10-12 feet at planting supplemented with a continuous hedge of 24 inch overall height at planting along Northlake Boulevard.
 - d) All landscape materials shall be maintained in a healthy condition and replaced as necessary.
2. All mechanical and air conditioning equipment shall be roof mounted and screened with parapets.
3. No stock loading or dumpster pickup will be permitted between the hours of 8:00 p.m. and 8:00 a.m.
4. No storage or placement of any materials, refuse, equipment or accumulated debris shall be permitted in the rear of the service center.
5. No parking of any vehicles shall be permitted along the rear of the service center except in designated spaces or unloading areas.
6. Security lighting shall be directed away from nearby residences.
7. The developer shall preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measures shall also be taken to protect these preservation areas during site clearing and construction.
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 property shall enter adjacent or nearby surface waters.
10. 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.
11. 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.
12. The owner of the facility will participate in an oil recycling program which insures proper reuse or disposal of waste oil.
13. 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.
14. 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 \$9,510.

15. The property owner shall obtain an onsite Drainage Permit from the Palm Beach County Engineering Department Permit Section prior to the issuance of a Building Permit.

16. The property owner shall obtain a Turnout Permit from the Engineering Department for access onto Northlake Boulevard.

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

18. No mechanical or repair work shall be permitted outside of enclosed structures.

19. The hours of operation of businesses on this site shall be limited from 8:00 A.M. to 6:00 P.M.

20. The developer shall comply with any prospective amendments to the Palm Beach County Landscape Code, if building permits are not issued prior to the effective date of such amendments.

21. The developer shall construct a sidewalk on the south side of Mango Lane from its present terminus on the east to High Point Road on the west.

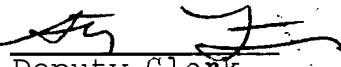
Commissioner Wilken, moved for approval of the petition. The motion was seconded by Commissioner Spillias, and upon being put to a vote, the vote was as follows:

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

The foregoing resolution was declared duly passed and adopted this 19TH day of NOVEMBER 1985 confirming action of the 22nd August 1985.

PALM BEACH COUNTY, FLORIDA"
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney