

.RESOLUTION NO. R- 85-1946

RESOLUTION APPROVING ZONING PETITION 79-73(C), Modification

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. 79-73(C) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 30th September 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 30th of September 1985, that Petition No. 79-73(C) the petition of COMMERCE PARK OF PALM BEACH COUNTY, By Ronnie Pertnoy, Agent to MODIFY THE FOLLOWING SPECIAL CONDITION PLACED ON ZONING PETITION NO. 79-73(B), APPROVED MARCH 29, 1979:

CONDITION NO. 4 STATES:

The subject planned industrial development shall be restricted to the various storage facilities for the residents of the Wellington development relating to individual household storage, and recreational vevhicle and boat storage, and to the fabrication and storage facilities for the construction industry and those permitted industrial uses relating to the construction industry only, such as but not limited to truss manufacture, and the fabrication of air

conditioning ducts.

CONDITION NO. 4 TO READ:

Be amended to permit Automobile Service and Repair Center.

Said property located on the northeast corner of the intersection of Fortune Way and Fortune Circle in an IL-Light Industrial District was approved as advertised subject to the following conditions:

1. Condition No. 4 which states:

"4) The subject Planned Industrial Development shall consist of various storage facilities relating to individual household storage, recreational vehicle and boat storage and to the fabrication and storage facilities and only clean, light industrial uses, such as, but not limited to, truss manufacture, fabrication of air-conditioning ducts, electrical and electronics assembly, and restaurant."

is hereby amended to state:

"4. The subject Planned Industrial Development shall consist of various storage facilities relating to individual household storage, recreational vehicle and boat storage and to the fabrication and storage facilities and only clean, light industrial uses, such as, but not limited to, truss manufacture, fabrication of air-conditioning ducts, electrical and electronics assembly. A restaurant and an automobile repair and service facility shall be permitted."

2. Prior to site plan approval the site plan shall be revised to reflect the following:

a) Location of automobile service area access doors. b) Removal or relocation of parking stalls from the front of the building and service area access doors.

3. The automobile repair and service facility shall be limited to occupy no more than the proposed maximum 3000 square feet of building area.

4. The automobile repair and service facility location shall be exactly as shown on the proposed site plan as presented to the Planning Commission and Board of County Commissioners.

5. There shall be no outdoor repair work at this site, and no outdoor storage of visibly damaged vehicles or disassembled vehicles. There shall be no outdoor storage of auto parts or any materials associated with this repair and service use.

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. 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.

9. 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.

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

11. The developer shall comply with all previously imposed conditions of Zoning Petition Nos. 79-73 (R-79-505), 80-210 (R-81-59), 79-73(A) (R-84-1182), (R-84-1183), and 79-73(B) (R-85-241), except as amended by subsequent petitions.

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

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

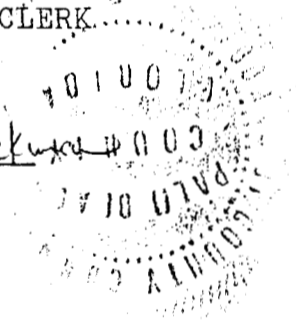
Ken Adams, Chairman	--	AYE
Karen T. Marcus, Vice Chairman	--	AYE
Kenneth Spillias, Member	--	AYE
Jerry L. Owens, Member	--	AYE
Dorothy Wilken, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 3rd day of December 1985 confirming action of the 30th September 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Linda C. Hickman
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Andy Sprague
County Attorney

FILED THIS DAY OF
.....DEC. 03. 1985....., 19

AND RECORDED IN

MINUTE BOOK NO. AT

PAGE RECORD VERIFIED
JOHN B. DUNKLE, CLERK
.....LH.....D.C.