

RESOLUTION NO. R-86-98

RESOLUTION APPROVING ZONING PETITION 80-108(B), 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. 80-108(B) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 31st October 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 site plan modification, 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 31st of October 1985, that Petition No. 80-108(B) the petition of CAMINO REAL CENTRE, LTD., By Arnold Sevill, Agent, for a SPECIAL EXCEPTION TO AMEND AND EXPAND THE SITE PLAN FOR A PLANNED COMMERCIAL DEVELOPMENT AND PRIVATE HELIPAD PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 77-141 AND ZONING PETITION NO. 80-108, RESPECTIVELY, TO ADD 1.8 ACRES TO THE SITE, TO INCREASE BUILDING SQUARE FOOTAGE, TO RELOCATE THE PRIVATE HELIPAD, AND TO INCLUDE A COMMERCIAL RADIO AND TELEVISION SATELLITE DISH on all of Camino Real Centre, according to the plat thereof as recorded in Plat Book 33, Pages 51 and 52, together with a parcel of land lying in Section 28, Township 47 South, Range 42 East, being a portion of the 85.00 foot wide Right-of-way for the Lake Worth Drainage District

Lateral No. 49, bounded as follows:

On the North by the South boundary line of said Camino Real Centre; on the South by the South line of said Lake Worth Drainage District Lateral No. 49 as shown on the Plat of Boca Pointe No. 1, as recorded in Plat Book 42, Pages 141-143; on the West by the Southerly projection of the West boundary line of said Camino Real Centre; on the East by the West Right-of-way line for Powerline Road as shown on said plat Camino Real Centre. Said property located on the west side of Powerline Road approximately .4 mile south of Palmetto Park Road 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) Delineation of individual parking spaces.
  - b) Provision of required landscaping and perimeter and interior locations, and site plan data computations reflecting parking area interior landscaping in a required/proposed format.
  - c) Removal of parking and pedestrian areas from within forty (40) feet of all edges of the helipad primary surface area.
  - d) The nearest edge of the helipad primary surface area from the proposed fifty foot high building shall meet F.A.A. or F.D.O.T. requirements whichever is greater.
2. The petitioner shall provide evidence of compliance with all requirements of the P.A.A. and F.D.O.T. airspace analysis and airport license requirements prior to site plan certification.
3. The petitioner shall provide binding confirmation of agreement(s) with abutting property owners, ensuring that all applicable vegetation and structures shall be maintained, removed, or relocated in order to accommodate minimum P.A.A. and F.D.O.T. flight departure and approach ratios.
4. Any resultant reduction in the number of required parking spaces, shall result in a reduction of the total square footage of building floor area.
5. 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.
6. Loading areas shall be separated from any nearby residential areas by ten foot high wing walls.
7. All mechanical and air conditioning equipment shall be roof mounted and screened with parapets or be contained within the enclosed loading and service area.
8. All facades of the center shall be given architectural treatment consistent with the front of the center to avoid an incompatible industrial appearance impact upon nearby residential development.
9. No stock loading or dumpster pickup will be permitted between the hours of 8:00 P.M. and 8:00 A.M..

10. No storage or placement of any materials, refuse, equipment or accumulated debris shall be permitted in the rear of the center.
11. No parking of any vehicles shall be permitted along the rear of the center except in designated spaces or unloading areas.
12. Security lighting shall be directed away from nearby residences.
13. 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.
14. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
15. 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.
16. 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.
17. All commission imposed conditions, approved pursuant to Resolutions numbered 77-1240 and 80-1010 shall apply hereto unless otherwise modified or superseded herein.
18. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-24 hour storm per requirements of the Permit Section, Land Development Division.
19. The property owner shall convey for the ultimate right-of-way of Powerline Road, 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.
20. 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 \$19,288.00 (720 trips X \$26.79 per trip).
21. Based on the Traffic Performance Standards (Category "B"), the Developer shall contribute an additional \$4,822.00 toward Palm Beach County's existing Roadway Improvement Program, these total funds of (\$24,110.00) to be paid prior to October 1, 1986.  
  
If the "Fair Share Contribution for Road Improvements Ordinance" is amended to increase the Fair Share Fee, this additional amount of \$4,822.00 shall be credited toward the increased Fair Share Fee.
22. The property owner shall obtain an onsite Drainage Permit from the Palm Beach County Engineering Department Permit section prior to the application of a Building Permit.
23. The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.
24. There shall be no storage of aviation fuel or aviation fueling operations on this site,

Commissioner **Spillias** , 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	--	NAY

The foregoing resolution was declared duly passed and adopted this day of **FEB 11 1986** confirming action of the 31st October 1985.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

*Jean Tracy Ellington*  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

*Judy Sprague*  
County Attorney