

RESOLUTION NO. R- 86-476

RESOLUTION APPROVING ZONING PETITION 85-161, 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. 85-161 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 30th December 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 amendments, 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 30th of December 1985, that Petition No. 85-161 the petition of JACK E. COOK AND WILLIE H. DAY By Alan Ciklin, Esquire, for a SPECIAL EXCEPTION TO ALLOW A PLANNED INDUSTRIAL DEVELOPMENT, INCLUDING A CONCRETE MANUFACTURING PLANT on a part of Parcels "A" and "B" of Subdivision of Tract 23 of Block 1 of Palm Beach Farms Co. Plat No. 9, as recorded in Plat Book 27 at Page 77, and a part of the West 1/2 of Tract 24, Block 1 of Palm Beach Farms Co. Plat No. 9 as recorded in Plat Book 5 at Page 58, being more particularly described as follows:

Commence at the Northwest corner of said Parcel "B", thence South 0 degree 42'28" East along the West line of said Parcel "B" 240 feet to a line 239.79 feet South of and parallel with the North line of said

Parcel "B", and the "Point Of Beginning" thence South 88 degrees 19'54" East 350.32 feet, thence South 0 degree 42'28" East 117.03 feet, thence North 89 degrees 23'51" East 295 feet to the East line of said Tract 23, (also being the West line of said Tract 24), thence South 0 degree 42'28" East along the East line of said Tract 23, 104.48 feet; thence South 88 degrees 19'54" East 330.34 feet to the East line of the West 1/2 of said Tract 24, thence South 0 degree 42'28" East along the East line of said Tract 24, 469.54 feet to the South line of said Tract 24, thence South 89 degrees 23'51" West along the South line of said Tract 24, 330 feet to the Southwest corner of said Tract 24, thence North 0 degree 42'28" West along the West boundary of said Tract 24, 25 feet to the Southeast corner of said Parcel "A", thence South 89 degrees 23'51" West along the South line of said Parcel "A", 406.02 feet, thence North 0 degree 42'28" West 231 feet, thence South 89 degrees 23'51" West 239 feet to the West line of said Parcel "A", thence North 0 degree 42'28" West along the West line of said Parcel "A" and Parcel "B", 462.01 feet to the Point Of Beginning. Said property located on the east side of Skees Road, approximately 280 feet south of Okeechobee Boulevard (S.R. 704), and being bounded on the south by Dwight Road was approved as advertised subject to the following conditions:

1. Prior to site plan certification, the site plan will be revised to reflect the following:
  - a) No parking stalls within the twenty (20) foot backup distance.
  - b) Required landscaping between the vehicular use areas and the adjacent properties and public rights-of-way.
  - c) A five by twenty (5 x 20) foot landscaped traffic island at the northern edge of the accessway.
2. No parking shall be permitted within the Skees Road right-of-way.
3. Any fuel or chemical storage tanks shall be installed in accordance with Chapter 17-61, Florida Administrative Code. The design and installation plans will be submitted to the Health Department for approval prior to installation.
4. 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.
5. 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.
6. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.

7. Developer shall submit an application to the Department of Environmental Regulation for modification of the air pollution permit.

8. This development shall retain onsite the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 73-4, as amended.

9. The property owner shall convey for the ultimate right of way of Dwight Road, 4W 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.

10. 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.

11. The property owner shall obtain a Turnout Permit from the Palm Beach County Engineering Department, Permit Section for access onto Skees Road.

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

13. Petitioner shall construct a 6' high masonry wall, with stucco facing, landscaped on the inside of the wall with canopy trees 12'-15' in height planted 30' on center, and on the outside with a 5' landscape strip using 75% native vegetation. The walls and landscaping shall be installed within 6 months of approval, on both Skees Road and Dwight Road frontages.

Commissioner Owens, 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:

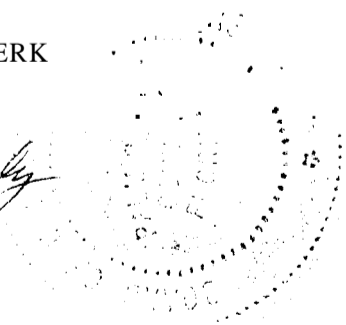
Ken Adams, Chairman	--	AYE
Karen T. Fiarcus, Vice Chairman	--	ABSENT
Kenneth Spillias, Member	--	AYE
Jerry L. Owens, Member	--	AYE
Dorothy Wilken, Member	--	ABSENT

The foregoing resolution was declared duly passed and adopted this 8th day of April, 1986 confirming action of the 30th December 1985.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Barbara O. Kelly*  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

*[Signature]*  
County Attorney