

RESOLUTION NO. R- 86-573-8

RESOLUTION APPROVING ZONING PETITION 85-157, 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. 85-157 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 30th January 1986; 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 site plan modifications or variance relief, 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 January 1986, that Petition No. 85-157 the petition of RYDER TRUCK RENTAL, INC., By Don Napole, Agent, for a SPECIAL EXCEPTION TO ALLOW A COMMERCIAL NEW AND USED TRUCK RENTAL AND REPAIR FACILITY, INCLUDING GASOLINE PUMP ISLAND FACILITIES on a parcel of land in Section 29, Township 43 South, Range 43 East, being more particularly described as follows:

Commencing at the Northwest corner of said Section '29; thence on an assumed bearing of due East along the North line of said Section 29, a distance of 1400.19 feet to a point in the Northerly extension of the East Right-of-way line of Church Street; thence South 0 degree 30'30" West, along said Right-of-Way a distance of 884.47 feet to the

Point of Beginning; thence continue South 0 degree 30'30" West a distance of 91.83 feet to a point on the Easterly Right-of-way line of Church Street and Okeechobee Road; thence South 89 degrees 55'15" East along the North Right-of-way of Okeechobee Road a distance of 504.42 feet to a point; thence North 0 degree 30'30" East a distance of 2.92.28 feet to a point; thence North 89 degrees 55'30" West a distance of 300 feet to a point; thence South 0 degree 30'30" West a distance of 200.34 feet to a point; thence North 89 degrees 55'15" West a distance of 204.42 feet to the Point of Beginning and the Easterly Right-of-way line of Church Street. Said property located on the northeast corner of the intersection of Church Street and Okeechobee Road 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) Required landscaping between the vehicular use areas and the adjacent properties or seek variance relief obtained from the Board of Adjustment.

b) Required landscaping between the vehicular use areas and the abutting rights-of-way, or variance relief from the Board of Adjustment.

c) An eight (8) foot high chain link fence or wall on all nonfrontage property lines or variance relief obtained from the Board of Adjustment.

2. No storage or placement of any materials, refuse, equipment or accumulated debris shall be permitted behind the structure.

3. Security lighting shall be directed away from nearby residences.

4. 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.

5. 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.

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

9. 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. This drainage system shall be maintained in an acceptable condition per the County Engineers approval,

10. The property owner shall convey for the ultimate right-of-way of Church Street, 30 feet from centerline (approximately an additional 5 feet) 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.

11. 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.

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

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

14. No rental vehicles shall be parked in swales or along public rights-of-way.

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

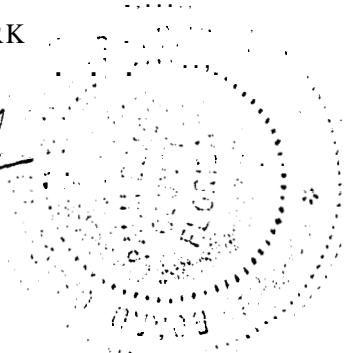
Karen T. Marcus, Chairman	--	AYE
Jerry L. Owens, Vice Chairman	--	AYE
Kenneth Spillias, Member	--	ABSENT
Dorothy Wilken, Member	--	AYE
Kenneth M. Adams, Member	--	ABSENT

The foregoing resolution was declared duly passed and adopted this 22nd day of April, 1986 confirming action of the 30th January 1986.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara O'Leary
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Stanley G. ...
County Attorney