

RESOLUTION NO. R- 86-743

RESOLUTION APPROVING ZONING PETITION 82-53(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. 82-53(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 27th March 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. 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 27th of March 1986, that Petition No. 82-53(A) the petition of PAUL AND MARJORIE MELOCHE, By Lee Starkey, Agent for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A COMMERCIAL SALES AND SERVICE ENTERPRISE, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 82-53, TO INCREASE THE TOTAL BUILDING AREA on a parcel of land lying in the Southeast 1/4 of Section 35, Township 44 South, Range 42 East, being more particularly described as follows:

PARCEL 1

The South 1/2 of the East 1/2 of the West 1/2 of the East 1/2 of the Southeast 1/4 of the Southeast 1/4 of Section 35, Township 44 South, Range 42 East, less the South 54 feet thereof for road right-of-way. Said property located on the north side of Lantana Road (S.R. 812),

approximately .6 mile west of Military Trail (S.R. 809) in an AR- Agricultural Residential District was approved as advertised subject to the following conditions:

1. Prior to site plan certification, the site plan shall be revised to reflect hedge materials planted 24 inches on center and 18 inches in height between the vehicle use area and the adjoining property and the right-of-way.
2. Security lighting shall be directed away from nearby residences.
3. 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.
4. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
5. 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.
6. 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.
7. The owner of the facility will participate in an oil recycling program which insures proper reuse or disposal of waste oil.
8. The property owner shall continue to be bound by all previously imposed conditions unless modified herein.
9. The petitioner shall provide an affidavit of disclosure showing no consideration having been given to any citizen or citizen's group related to support for this petition.

Commissioner Adams, 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:

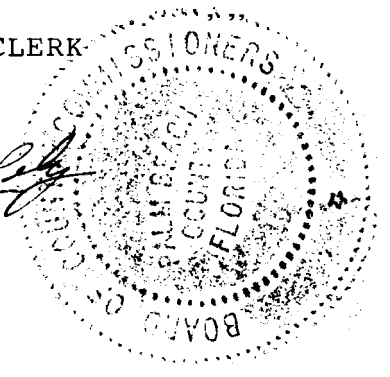
Karen T. Marcus, Chairman	--	AYE
Jerry L. Owens, Vice Chairman	--	AYE
Kenneth Spillias, Member	--	ABSENT
Dorothy Wilken, Member	--	AYE
Kenneth Adams, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 27th day of May, 1986 confirming action of the 27th March 1986.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Barbara O. Peltz*
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Sandy Sprague
County Attorney