

RESOLUTION NO. R- 86-754

RESOLUTION APPROVING ZONING PETITION 86-18, 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. 86-18 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. 86-18 the petition of BETTY GALLAWAY AYERS By Robert Springer, Agent; for a SPECIAL EXCEPTION TO ALLOW A PLANNED INDUSTRIAL DEVELOPMENT on Lot 34, Okeechobee Garden Estates, in Section 24, Township 43 South, Range 42 East, as recorded in Plat Book 23, Page 181. Said property located on the southwest corner of the intersection of Gardenia Street and Scott Avenue was approved as advertised subject to the following conditions:

1. Security lighting shall be directed away from nearby residences.
2. No parking of any vehicles shall be permitted along the rear of the structures except in designated spaces and unloading areas.
3. No storage or placement of any materials, refuse, equipment or accumulated debris shall be permitted behind the structure.

4. Prior to site plan certification, the site plan shall be revised to reflect a solid six foot fence supplemented with one ten to twelve foot canopy tree placed every thirty feet on center along the west and south property lines.
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. 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.
8. 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.
9. Generation and disposal of hazardous effluents into sanitary sewerage system shall be prohibited unless adequate pretreatment facilities, approved by the Florida Department of Environmental Regulations (FDER) and Agency responsible for sewage works, are constructed and used by project tenants or owners generating such effluents.
10. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-one hour storm per requirements of the Permit Section, Land Development Division. The drainage system shall be maintained in an acceptable condition per the County Engineers approval.
11. The property owner shall construct Scott Avenue (local street standards - minimum 2-10 foot paved travel lanes) from the present paved terminus north of Okeechobee Boulevard, north to Gardenia Street. This construction shall be concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer.
12. 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 \$804.00 (30 trips X \$26.79 per trip).
13. 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.
14. The property owner shall obtain a Turnout Permit from the Palm Beach County Engineering Department, Permit Section for access onto Scott Avenue.
15. Office uses on this site shall be related any accessory to the storage/warehouse uses on the site.

Commissioner Spillias , 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:

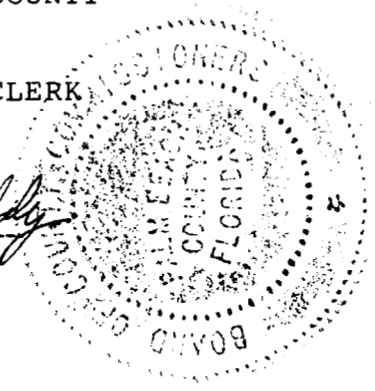
Karen T. Marcus, Chairman	--	AYE
Jerry L. Owens, vice Chairman	--	ABSENT
Kenneth Spillias, Member	--	AYE
Dorothy Wilken, Member	--	AYE
Kenneth Adams, Member	--	ABSENT

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'Leary*
 Deputy Clerk



APPROVED AS TO FORM
 AND LEGAL SUFFICIENCY

Andy Sprague
 County Attorney