

RESOLUTION NO. R- 87-203

RESOLUTION APPROVING ZONING PETITION 85-66(A):
Modification of Commission Requirements

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. 85-66(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on August 28, 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, 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 10th day of February, 1987, that: Petition No. 85-66(A), the petition of SOVRAN/U - STORE - IT ASSOCIATES, LTD., By Barry L. Amsdell, Agent, for a MODIFICATION OF COMMISSION REQUIREMENTS TO AMEND THE FOLLOWING CONDITION PLACED ON ZONING PETITION NO. 85-66, APPROVED JUNE 28, 1985:

CONDITION NO. 1b STATES:

"1. Prior to Site Plan Certification the site plan shall be amended to reflect the following:

- b) The wall shall be supplemented with a landscape program consisting of one (1) tree planted 25 feet on center along all areas abutting residentially zoned property and a buffering program for the area abutting commercial property. These shall be canopy trees 8 - 10 feet minimum overall height, and shall be properly maintained, and replaced as necessary. Along the western and northern property lines, the petitioner may seek variance relief from the 6 foot wall requirement, if the building faces at those property lines have no openings. The above specified supplemental landscape shall be provided along the property lines. Exclusively native species shall be used for this landscape treatment."

REQUEST: AMEND CONDITION NO. 1. b) to STATE:

"1. Prior to Site Plan Certification the site plan shall be amended to reflect the following:

- b) The wall shall be supplemented with a landscape program consisting of one (1) tree planted 25 feet on center along all areas abutting residentially zoned property and a buffering program for the area abutting commercial property. These shall be canopy trees 8 - 10 feet minimum overall height, and shall be properly maintained, and replaced as necessary. Along the western property line, the petitioner may use alternative perimeter Landscape strip number 3, as

defined in Section 500.35 (Landscape Code), Subsection E.3.c.

The above specified supplemental landscape shall be provided along the property lines. Exclusively native species shall be used for this landscape treatment."

Said property located on the north side of Lake Worth Road (S.R. 802), approximately .3 mile west of Pinehurst Drive in a CG-General Commercial District was approved as advertised subject to the following conditions:

1. The developer shall comply with all previous conditions of approval, unless modified herein.

2. Condition Number 1.b.) which presently states:

"b) The wall shall be supplemented with a landscape program consisting of one (1) tree planted 25 feet on center along all area abutting residentially zoned property and a buffering program for the area abutting commercial property. These shall be canopy trees 8-10 feet minimum overall height, and shall be properly maintained, and replaced as necessary. Along the western and northern property line, the petitioner may seek variance relief from the six (6) foot wall requirement, if the building faces at those property lines have no openings. The above specified supplemental landscape shall be provided along the property lines. Exclusively native species shall be used for this landscape treatment."

is hereby amended to state:

"b) Along the western property line, the petitioner may use Alternative Perimeter Landscape Strip No. 3 as defined in Section 500.35 (Landscape Code), Subsection E.3.c."

3. The required landscape strips along the north and west property lines shall include one (1) tree planted 25 feet on center.

4. If the developer chooses to allow the facades of the buildings along the western property line to function as the "landscape barrier", the buildings shall be given the same surface treatment as required in Section 500.35 (Landscape Code), Subsection E.3.c.

Commissioner Adams, 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:

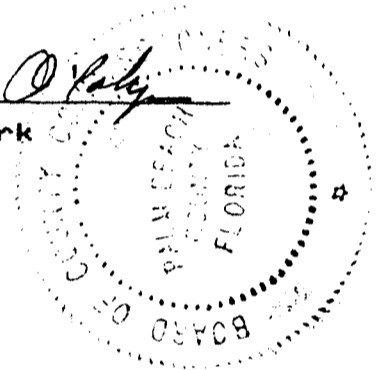
Karen T. Marcus	--	AYE
Jerry L. Owens	--	AYE
Ken Spillias	--	AYE
Dorothy Wilken	--	ABSENT
Kenneth M. Adams	--	AYE

The foregoing resolution was declared duly passed and adopted this 10th day of February, 1987 confirming action of August 28, 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

[Signature]
County Attorney