

RESOLUTION NO. R-87-520

RESOLUTION APPROVING ZONING PETITION 86-138, 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. 86-138 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on December 1, 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 required site plan modifications, this proposal will be consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 31ST day of March, 1987, that: Petition NO. 86-138, the petition of WALLACE W. HICKMAN, SR., WALLACE W. HICKMAN, JR., AND JERRY D. McCOY By Carl P. Christoff, Agent, for a SPECIAL EXCEPTION TO ALLOW A COMMERCIAL NEW AND USED AUTOMOBILE, TRUCK, BOAT, MOTORCYCLE, MOBILE HOME, RECREATIONAL VEHICLE SALES AND RENTAL AND REPAIR FACILITIES AND LOTS being all of Lots 1 thru 6, Block 3 of Palm Acres Estates as recorded in Plat Book 20, Page

5. Said property located on the northeast corner of the intersection of Congress Avenue (S.R. 807) and Kentucky Street in an CG-General Commercial Dietrict was approved as advertised subject to the following conditions:

1. Prior to site plan certification, the site plan shall be amended to reflect the following:
  - a. The required terminal island and tree planting requirement.
  - b. A five (5) foot grass strip planted with a minimum of one (1) tree between the parking areas and specialized vehicular use area.
2. All facades of the facility shall be given architectural treatment consistent with the front of the facility to avoid an incompatible appearance upon nearby residential areas.
3. No outdoor storage of vehicle parts, materials, refuse, equipment or accumulated debris shall be permitted.
4. There shall not be any outdoor maintenance or repair of disassembled or damaged vehicles or parts.
5. There shall be no repair, oil change, car wash or maintenance of mechanical equipment conducted on the property until the facility is connected to the public water and sewerage system.
6. The developer shall retain the stormwater runoff in accordance in all applicable agency requirements in effect at the time of the permit application. However, at a minimum, this 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 as approved by the County Engineer. In the event that the drainage system is not adequately maintained as determined by the County Engineer this matter will be reviewed by the Code Enforcement Board for enforcement.
7. The property owner shall convey for the ultimate right-of-way of Congress Avenue, 53 feet from centerline (approximately an additional 3 feet) within 90 days of the approval of the Resolution approving this project.
8. There shall be no outdoor loudspeaker systems permitted on site.

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:

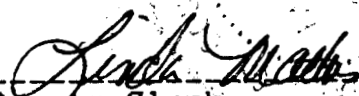
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Karen T. Marcus	--	AYE
Jerry L. Owens	--	AYE
Carol Roberts	--	AYE
Dorothy Wilken	--	AYE
Kenneth M. Adams	--	AYE

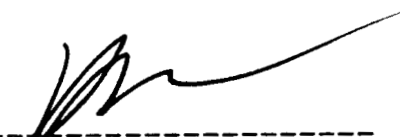
The foregoing resolution was declared duly passed and adopted this 31ST day of March, 1987 confirming action of December 1, 1986.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:   
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
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County Attorney

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