

RESOLUTION NO. R- 87-892

RESOLUTION APPROVING ZONING PETITION 78-207(B): 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. 78-207(B) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning authority, at its public hearing conducted on January 5, 1987; 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, that Petition No. 78-207(B), the petition of MOBIL OIL CORPORATION, By Henry Heller, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A GASOLINE SERVICE STATION, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 78-207(A) TO INCLUDE A CURB CUT on described line lying 10 feet Easterly from and parallel with the Easterly Right-of-way line of Military Trail as same is shown on said replat; thence Southerly along said parallel line a distance of 17.69 feet to the Point of Beginning. Lots 80 through 94 inclusive, a portion of Lots 61 through 79 inclusive, a portion of Orange avenue, and a portion of

the walkway adjacent to Lots 93 and 94, "Re-Plat of Flrcanum", in Section 36, Township 44, Range 42, as recorded in Plat Book 23 at page 33 being more particularly described as follows: Commence at the Southeast corner of Lot 79, "Re-Plat of Arcanum", as recorded in Plat Book 23 at page 33 and run on an assumed bearing of North 2 degrees 24'14" East along the East boundary of said Lot 79 for 14.00 feet to the Point of Beginning; thence run North 68 degrees 07'31" West along a line parallel with and 14.00 feet North of as measured at right angles to the North right-of-way line of Lantana West Road, as shown on said plat "Re-Plat of Arcanum" for a distance of 143.45 feet; thence run North 52 degrees 58'26" West for 28.79 feet; thence run North 17 degrees 49'21" West along a line parallel with and 10.00 feet East of as measured at right angles to the East Right-of-way line of Military Trail (S.R. 809) as shown on said plat "Re-Plat of Arcanum" for a distance of 78.29 feet to a point of curvature; thence run Northwesterly along a circular curve to the right and concave to the Northeast having a radius of 2804.93 feet and a central angle of 3 degrees 44'45" for an arc distance of 163.36 feet to a point of non tangency; said point bearing South 75 degrees 55'24" West from the radius point of the last described curve; thence run South 67 degrees 39'24" East along the South Right-of-way line of Orange Flvenue being coincident with the North boundary of Lot 77 for a distance of 146.94 feet; thence run South 2 degrees 24'14" West Right-of-way line of Orange avenue being coincident with the East boundary of Lot 77 fur a distance of 10.00 feet to a point, said point being 8.75 feet North of the South boundary of Lot 77; thence run South 87 degrees 15'20" East for 40.00 feet to a point on the East Right-of-way line of Orange Avenue, also being coincident with the West boundary of Lot 88, said point being 12.65 feet North of the South boundary of Lot 88; thence run North 2 degrees 24'14" East along the East Right-of-Way line of Orange Flvenue being coincident with the West boundary of Lots 89, 90 and 91, and a portion of Lot 88 for 46.03 feet to the Northwest corner of Lot 91; thence run North 87 degrees 35'46" West along the Westerly extension of the North boundary of Lot 91

for 4.24 feet; thence run North 47 degrees 22'09" West along a line parallel with the Westerly boundary of Lot 32; said line also being the center of a six (6) foot walkway as shown on said plat "Re-Plat of Arcanum" for 20.80 feet to a point of intersection with the Southerly extension of the West boundary of Lot 94; thence run North 2 degrees 24'14" East along the Southerly extension of the West boundary of Lot 94 and the West boundary of Lot 94 for a distance of 54.57 feet to the Northwest corner of said Lot 94; thence run South 87 degrees 39'24" East along the North boundary and Easterly extension of the North boundary of Lot 34 for a distance of 54.62 feet; thence run South 2 degrees 24'14" West along the Northerly extension of the East boundary of Lot 93 and the East boundary of Lots 93 through 80 inclusive and a portion of Lot 79 for a distance of 367.78 feet to the Point of Beginning. Said property located on the northeast corner of the intersection of Lantana Road (S.R. 812) and Military Trail (S.R. 809) in a CG-General Commercial Zoning District 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 stacking lane
 - b) a landscaped terminal island in the southeast corner of the site.
2. The developer shall retain the stormwater runoff in accordance with 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.
3. 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 \$5,894.00 (220 trips X \$26.79 per trip) for the proposed car wash.
4. The developer shall comply with all conditions of previous approvals unless expressly modified herein.

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

Carol R. Roberts	--	Absent
Jerry L. Owens	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Aye
Kenneth M. Rdams	--	Aye


The foregoing resolution was declared duly passed and adopted
this 23rd day of June, 1987 confirming action of January 5,
1967.

FFILM BERCH COUNTY, FLORIDFI
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Jina M. Eldding
Deputy Clerk

FIPPROVED AS TO FORM
FIND LEGFIL SUFFICIENCY



County Attorney