

RESOLUTION NO. R-87-903

RESOLUTION APPROVING ZONING PETITION 86-139: 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. 86-139 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. 86-139, the petition of BOFIT MERT, INC., By Paul S. Pefley, Jr., Agent, for a SPECIAL EXCEPTION TO ALLOW A COMMERCIAL NEW AND USED, AUTOMOBILE, TRUCK, BOAT, MOTORCYCLE, MOBILE HOME, RECREATIONAL VEHICLE SITE RENTAL REPAIR FACILITIES AND LOTS on the West 450 feet, of the East 473.03 feet, as measured parallel with the South line thereof, lying West of a platted road right-of-way (60 feet), of the South 1/2 of Lot 1, block 3, less the Plat of Palm Beach Farms Company, Plat No. 1, subdivision of Section 12, Township 44 South, Range 42 East, as recorded in Plat Book 10, Page

20. Subject to additional right-of-way for Military Trail over the West 7.0 feet, of the East 30 feet, of the South 1/2, of said Lot 1, Block 3. Subject to an easement for ingress and egress over the South 50 feet thereof, as measured at right angles to the above described parcel. Said property located on the southwest corner of the intersection of Hairland Drive and Military Trail (S.R. 809) 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) directional signage shall be displayed at the easternmost entry drive prohibiting customer access. Customer access shall be limited to the westernmost drive.
  - b) site data indicating the required amount of specialized vehicular use interior landscaping required to be transferred to the perimeter of the lot.
2. Use of the site shall be limited to the retail sale and minor repair of pleasure boats and accessory activities. No large scale repairs of boats requiring extensive use of hazardous materials such as spray resin and the like shall be used.
3. No on site storage of boats other than for maintenance activity, display, or sale purposes shall be permitted.
4. Prior to site plan certification, the petitioner shall record an ingress and egress easement for the properties to the west.
5. 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.
6. The property owner shall convey for the ultimate right-of-way of:
  - a) Military Trail, 60 feet from centerline
  - b) an additional five (5) feet of right-of-way along Hairland Drive (a total of 15 feet from centerline)all within ninety (90) days of the approval of the Resolution approving this project.
7. There shall be no access to the site from Hairland Drive.
8. The wall proposed for the landscape buffer shall receive appropriate architectural treatment on both sides including stuccoed painting with no signage attached to or painted on the wall.

9. No dry stacking of boats shall be allowed on site.
10. All lighting shall be low intensity in nature and be directed away from adjacent properties.
11. There shall be no on-site disposal of toxic wastes.

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

Carol A. Roberts	--	Absent
Jerry L. Owens	--	Aye
Karen T. Marcus	--	Absent
Dorothy Wilken	--	Nay
Kenneth M. Adams	--	Aye

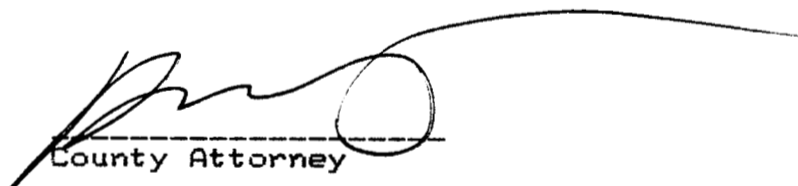
The foregoing resolution was declared duly passed and adopted this 23rd day of June, 1987 confirming action of January 5, 1387.

PRLM BERCH COUNTY, FLORIDA  
 BY ITS BOARD OF COUNTY  
 COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Lina M. Eldridge  
 Deputy Clerk

APPROVED AS TO FORM  
 FIND LEGFIL SUFFICIENCY

  
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 County Attorney