

RESOLUTION NO. R- 87-1094

RESOLUTION APPROVING ZONING PETITION 80-200(B), Special Exception

WHEREFIS, 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

WHEREFIS, 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

WHEREFIS, Petition No. 80-200(B) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning authority, at its public hearing conducted on February 26, 1987 and

WHEREFIS, 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

WHEREFIS, 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. 80-200(B), the petition of MORRIS PALM BEACH PROPERTIES by Arthur C. Moran, Agent, for a SPECIAL EXCEPTION TO PERMIT THE SITE PLAN FOR A COMMERCIAL NEW AND USED AUTOMOBILE, TRUCK, BOAT, MOTORCYCLE, MOBILE HOME, RECREATION VEHICLE SPACES AND OTHER USES, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 80-200(A) TO INCREASE THE BUILDING SQUARE FOOTAGE on the West 1/2 of the West 1/2 of the Northeast 1/4 of the Northwest 1/4 of Section 19, Township 42

South, Range 43 East, more particularly described as follows: Commencing at the North 1/4 corner of said Section 19; thence North 88 degrees 27' 22" West along the North line of said Section 19, a distance of 995.30 feet; thence South 01 degrees 38' 06" West, a distance of 75.00 feet to a Point Of Intersection with the Southerly Right-of-way line of State Road 809A, as shown on Florida Department of Transportation Right-of-way Map, Section 93600-2606, said point also being the Point Of Beginning of this description; thence continuing South 01 degrees 38' 06" West, a distance of 1258.06 feet to a Point of Intersection with the North line of the Plat of Parkway Village as recorded in the Plat Book 37, Page 41 and 42; thence North 88 degrees 12' 10" West, along the said North line of Parkway Village, a distance of 322.30 feet; thence north 01 degrees 39' 08" East along a line parallel with and 40.00 feet East of, as measured at right angles to, the centerline of Sandtree Drive, as now laid out and in use, same line also being the Easterly line of a Right-of-way Warranty Deed as recorded in Official Record Book 3767, Page 1026, a distance of 956.63 feet; thence continuing North 01 degrees 39' 08" East along the Easterly line of a second Right-of-way Warranty Deed as recorded in Official Record Book 4975, Page 1182 and 1883, a distance of 275.00 feet; thence continuing along the Southeasterly line of said Second Right-of-way Warranty Deed, North 46 degrees 35' 53" East, a distance of 35.39 feet to a Point of Intersection with the said Southerly Right-of-way line of State Road 809A; thence South 88 degrees 27' 22" East, along said Southerly Right-of-way line of State Road 809A, a distance of 296.92 feet to the Point Of Beginning. The property is located on the southeast corner of the intersection of Lake Park West Road (SR 809A) and Sandtree Drive in an CG-General Commercial Zoning District was approved as advertised subject to the following conditions:

1. Petition shall comply with all conditions of previous approvals unless expressly modified herein.

2. Prior to site plan certification, the site plan shall be amended to reflect the following:
  - a. the required eight (8) foot fence or wall along the eastern property line.
  - b. landscaped islands every twelve (12) parking spaces, with one (1) tree in every island as required by Section 500.35 of the Zoning Code or submit a Landscape Betterment Plan to be approved by the Zoning Division.
3. The Specialized Vehicular Use Area, designated as future auto storage, shall remain in its natural state until it will be used for auto storage.
4. No building permit shall be issued for the subject property until such a time that the site is connected to a public sewer system.
5. Since sewer and water service are available to the property, neither septic tank nor well shall be approved for use on the property.
6. Condition No. 2 of Zoning Petition No. 80-200 which currently states:
 

"2. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-24 hour storm per requirements of the Permit Section, Land Development Division. "

is hereby amended to state:

"2. The developer shall retain the stormwater runoff in accordance with all agency requirements in effect at the time of the permit application. However at a minimum, this development shall retain onsite three (3") inches 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."
7. 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 the proposed addition presently is \$6,081.00 (227 trips X \$26.79 per trip).
8. No outdoor public address systems shall be permitted on the site.
9. All outdoor security lighting shall be low intensity and directed away from adjacent residential development.
10. Condition No. 4 of Zoning Petition No. 80-200(A) (Resolution No. R-86-214) which states:
 

"4. The property owner shall construct Sandtree Drive as a three (3) lane section thirty-six (36) feet wide from Northlake Boulevard south to the south entrance/exit plus the appropriate tapers concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer. "

is hereby modified to state:

"4. The construction of Sandtree Drive as a three (3) lane section thirty-six (36) feet wide from Northlake Boulevard south to the south entrance/exit plus the appropriate tapers shall be completed prior to the issuance of the Certificate of Occupancy."

Commissioner Marcus, 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 Roberts	--	Rye
Karen T. Marcus	--	Rye
Dorothy Wilken	---	Absent
Kenneth M. Adams	--	Rye

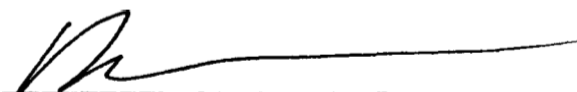
The foregoing resolution was declared duly passed and adopted this 28th day of July, 1987 confirming action of February 26, 1987.

PFILM BERCH COUNTY, FLORIDR  
BY ITS BORRD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK,

BY: Kathryn S. Miller  
Deputy Clerk

APPROVED RS TO FORM  
QND LEGQL SUFFICIENCY

  
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/County Attorney