

RESOLUTION NO. R-87-1099

RESOLUTION IMPROVING ZONING PETITION 87-6, 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. 87-6 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 BORRD OF COUNTY COMMISSIONERS OF PFIM BEFICH COUNTY, FLORIDFI, that: Petition No. 87-6, the petition of ROBERT CUILLO, By Russell C. Scott, Agent, for a SPECIFIL EXCEPTION TO ALLOW A COMMERCIFIL NEW FIND USED FIUTOMOBILE, TRUCK, BOOT, MOTORCYCLE, MOBILE HOME, RECREFITIONFIL VEHICLE, SFILE, RENIFIL, FIND REPFIIR FFICILITY AND LOTS ori Lots 1 through 8, inclusive, Block A, of the amended Plat of Blocks 1,2,3,4,5,6 and the Northern part of Block "A", West Gate Estates, in Section 30, Township 43 South, Range 43 East, as recorded in Plat Book 9, Page 20, Together with *the* North 382 feet of Block "A", West Gate Estates, a5 recorded in Plat Book 8, page 38,

Together with Lots 1, 2, and 3, Meerdink's Little Ranches, as recorded in Plat Book 4, page 50, EXCEPTING the East 15 feet of Lots 1 and 3, of said Plat of Meerdink's Little Ranches. Said property located on the southwest corner of the intersection of Okeechobee Boulevard (SR 704) and Congress Avenue (SR 807) and is bounded on the west by Suwanee Drive 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 number of handicap parking spaces
  - b) a minimum parking stall width of ten (10) feet.
  - c) No parking stalls within the twenty (20) foot backup distance.
2. Security lighting shall be low intensity and directed away from nearby residences.
3. There shall be no outside storage of disassembled vehicles or parts thereof.
4. No building permit shall be issued for the property until such a time that the site is connected to a public sewer system and water supply system.
5. Since sewer and water service are available to the property, septic tank or well shall not be approved for use on said property.
6. 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 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.
7. The property owner shall convey for the ultimate right-of-way for:
  - a) Congress avenue, 64 feet from centerline
  - b) Okeechobee Road, 76 feet from centerlinewithin six (6) months of the adoption of the Resolution approving this project, or as otherwise required by the Board of County Commissioners. If the Board does not allow the use of the subject Right-Of-Way, the property owner shall remove the improvements and amend the site plan appropriately. Landscaping shall be relocated on site.
8. The property owner shall construct a continuous right turn lane, west approach on Okeechobee Boulevard from a point 150 west of the project's entrance road east to Congress Avenue concurrent with onsite paving and drainage improvements.
9. 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 \$16,128.00 (602 trips X 826.79 per trip).

10. Prior to site plan certification, all drainage and road rights-of-ways within the project shall be properly abandoned as determined by the County Attorney.
11. The petitioner shall convey to the Lake Worth Drainage District the additional right-of-way for E-3 1/2 Canal as shown on the Survey for the property until such time as document has been executed for the piping, paving and parking, as tentatively agreed to by the owner's representative and the Board of Supervisors of the Lake Worth Drainage District at the regular Board Meeting on November 12, 1986.
12. There shall be no outdoor loud speaker system installed upon the site.
13. Use of the site shall be limited to the commercial sales, leasing and repair of new or used automobile and customary accessory uses.

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	--	Rsent
Kenneth M. Adams	--	RYE

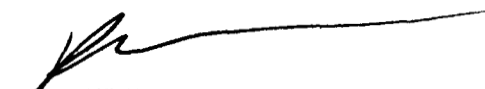
The foregoing resolution was declared duly passed and adopted this 28th day of July, 1987 confirming action of February 26, 1987.

PRLM BERCH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Kathryn S. Miller  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
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County Attorney