

RESOLUTION NO. R- 87-98

RESOLUTION APPROVING ZONING PETITION 84-115(A), 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. 84-115(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on July 24, 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 site plan modifications, this proposal will be consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 27th day of January, 1987, that: Petition No. 84-115(A), the petition of ENTERPRISE LEASING COMPANY By Beril Kruger, Agent, for a SPECIAL EXCEPTION TO AMEND AND EXPAND THE SITE PLAN FOR AN AUTOMOBILE RENTAL AND LEASING FACILITY AND LOT, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 84-115 TO INCREASE THE LAND AREA BY .23 ACRES on Lots 6 through 10, inclusive, Less the West 38 feet thereof; Lots 11, 12 and 13; that part of the abandoned alley Right-of-Way lying East of Lots 6 through 10,

inclusive and West of Lot 11; and the abandoned Right-of-Way for Avenue "H" lying West of the Southerly extension of the West line of Lot 11 and lying East of the East Right-of-Way line of U.S. Highway No. 1, Block 26, Del Raton Park, in Section 28 & 29, Township 46 South, Range 43 East, as recorded in Plat Book 14 at Page 10. Said property located on the northeast corner of the intersection of U.S. Highway No. 1 (S.R. 5) and Avenue "H" was approved as advertised subject to the following conditions:

1. The developer shall meet all previous conditions of approval unless modified herein.
2. The developer may use Alternative Perimeter Landscape Strip No. 3, as defined in Subsection 500.35.E.3.c. (Landscape Code).
3. Prior to site plan certification, the site plan shall be amended to reflect the following:
 - a. required and proposed interior landscaping
 - b. required perimeter landscape strip tree planting
 - c. channelization and division of "storage parking" area
 - d. required perimeter landscape strip between site and adjacent residentially zoned lots.
4. The application and engineering plans, calculations etc. to construct well and/or septic tank must be submitted to the Health Department prior to site plan approval.
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 sewer system.
6. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-one (1) hour storm per requirements of the Permit Section, Land Development Division. The drainage system shall be maintained in an acceptable condition per the County Engineers approval.
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 this project presently is \$589.00 (22 trips X \$26.79 per trip).
8. That portion of the Site Plan indicating utilization of the right-of-way for Avenue "H" shall not be certified until Avenue "H" has been abandoned by the Board of County Commissioners.

Commissioner Spillias, 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:

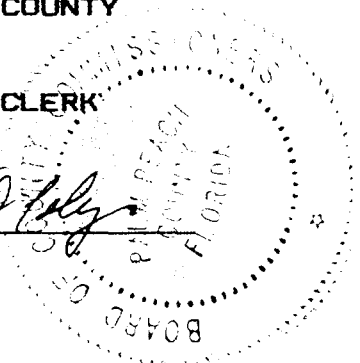
Karen T. Marcus, Chairman	--	AYE
Jerry L. Owens, Vice Chairman	--	AYE
Ken Spillias, Member	--	AYE
Dorothy Wilken, Member	--	ABSENT
Kenneth M. Adams, Member	--	ABSENT

The foregoing resolution was declared duly passed and adopted this 27TH day of January, 1987 confirming action of July 24, 1986.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara O'Leary
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
County Attorney