

FILE COPY

RESOLUTION NO. R-88-1545

RESOLUTION APPROVING ZONING PETITION NO. 87-50
SPECIAL EXCEPTION PETITION OF LEE ALAN AND ASSOCIATES

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. 87-50 was presented to the Board of County Commissioners of Palm Beach County, sitting as **the** Zoning Authority, at its public hearing conducted on August 27, 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, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This proposal is 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. 87-50, the petition of LEE ALAN AND ASSOCIATES, for a SPECIAL EXCEPTION TO ALLOW AN OFFICE/WAREHOUSE COMBINATION AND A CAR WASH on Lot 21, Flat of Square Lake, in Section 24, Township 42 South, Range 42 East, recorded in Plat book 23, Page 141, located on the west side of Military Trail (SR 809) approximately .2 mile south of Northlake Boulevard (SR 809A), 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 indicate the following:

- a. Required stacking spaces at a minimum of ten (10) feet by twenty (20) feet.
 - b. Required terminal islands.
 - c. Required canopy trees in terminal islands.
 - d. Required handicap space be shown in Phase I development area.
 - e. Required hedge material along northern property line in Phase II development area.
 - f. To clearly illustrate a proposed circulation pattern around the stacking area.
 - g. A notation that existing desirable trees within Phase II shall be preserved until development of that Phase occurs.
 - h. Preserved vegetation outlined in Section 4.d (Environmental Impacts) shall be incorporated into the design and shall be shown on the site plan.
2. Since sewer service is available to the property, septic tank shall not be approved for use on said property.
 3. Since water service is available to the property, a potable water well shall not be approved for use on said property.
 4. 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 (3.0 inches) 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.
 5. The developer shall design the drainage system such that storm water runoff from the parking areas and paved surfaced shall be separate from those areas which may contain hazardous or undesirable waste from the proposed site.
 6. The property owner shall convey for the ultimate right-of-way of Military Trail, 60 feet from centerline (approximately an additional 10 feet) within 90 days of

the approval of the Resolution approving this project.

7. The property owner shall construct a left turn lane, south approach on Military Trail at the project's entrance road concurrent with onsite paving and drainage improvements.
8. 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 \$9,162.00 (342 trips X \$26.79 per trip).
9. Based on the Traffic Performance Standards (Category "B"), the developer shall contribute an additional \$2,291.00 toward Palm Beach County's existing Roadway Improvement Program, these total funds of \$11,453.00 to be paid prior to the issuance of the first building permit or prior to December 1, 1987 whichever shall first occur.
10. If the "Fair Share Contribution for Road Improvements Ordinance" is amended to increase the Fair Share Fee, this additional amount of \$2,291.00 shall be credited toward the increased Fair Share Fee.
11. No off premise signs shall be permitted on the site.
12. Security lighting shall be low intensity and directed away from adjacent properties and streets, shining only on the subject site.
13. No repair of vehicles shall be permitted in the office warehouse combination.
14. Palms shall not be used to satisfy the minimum tree planting requirements along the frontage perimeters of the site. The Petitioner shall upgrade minimum landscaping requirements as required by Section 500.35 of the Zoning code by installing 10'-12' canopy trees along the non frontage perimeter(s) of the site

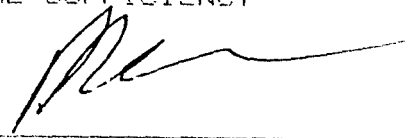
Commissioner Marcus moved for approval of the petition. The motion was seconded by Commissioner Elmquist and upon being put to a vote, the vote was as follows:

Carol A. Roberts	--	Absent
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Absent
Kenneth M. Adams	--	Aye

The foregoing resolution was declared duly passed and adopted this 27th day of September, 1988 confirming action of August 27, 1987

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY:




COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:



DEPUTY CLERK

