

RESOLUTION NO. R-88-1631

RESOLUTION APPROVING ZONING PETITION NO. 87-82
SPECIAL EXCEPTION PETITION OF DAVID S. AND BOBBYE G. LYONS

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. 87-82 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on September 30, 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. 87-82, the petition of DAVID S. AND BOBBYE G. LYONS, for a SPECIAL EXCEPTION TO ALLOW A PLANNED INDUSTRIAL PARK DEVELOPMENT on a parcel of land lying on Lot No. Seventeen (17) Okeechobee Garden Estates, as recorded in Plat Book 23, Page 181, together with Parcel 'A', a Subdivision of Lot 32, Okeechobee Garden Estates, in Section 24, Township 43 South, Range 42 East; said Parcel 'A' being further described as the West 60 feet of Lot 32, Okeechobee Gardens Estates, as recorded in Plat Book 23, Page 181, together with an easement for ingress and egress over the North 20 feet of the East 78.6 feet of said Lot 32, located on the east side of Spafford Avenue, approximately .2 mile north of Okeechobee Boulevard (SR 704), in a IL-Light Industrial 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. A solid six (6) foot high fence at perimeters abutting residentially zoned property. The fence shall be erected with rectangular offsets at intervals of 30 feet on center where this property abuts residentially zoned property. Said offsets shall be at least four (4) feet in depth and five (5) feet in width. The required trees shall be planted on the exterior side of these offsets, visible to neighboring residential properties.
2. Existing slash pines shall be preserved and protected during site development pursuant to Zoning Code Section 500.36.D.3.b(2)(a) (Protection Of Individual Trees).
3. Security lighting shall be below intensity and directed away from adjacent properties and streets, shining only on the site.
4. Use of the site shall be limited to open storage of operative automobiles and light trucks. There shall be no storage of disassembled vehicles or vehicle parts on site.
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 (1) 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. In the event that the drainage system is not adequately maintained as determined by the County Engineer, this matter will be referred to the Code Enforcement Board for enforcement.
6. If required by the County Engineer or the South Florida Water Management District 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.
7. The property owner shall construct Spafford Avenue from Okeechobee Road North to the project's entrance road (local street standards minimum 2-10 foot travel lanes)

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 \$750.00 (28 trips X \$26.79 per trip).
9. No structure will be permitted on site without future Board of County Commission approval of a Special Exception.
10. No off-premises signs shall be permitted on 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	--	Aye
Kenneth M. Adams	--	Aye

The foregoing resolution was declared duly passed and adopted this 4th day of October, 1988 confirming action of September 30, 1987

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY:


COUNTY ATTORNEY

FALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


DEPUTY CLERK

