

RESOLUTION NO. R-89- 753

RESOLUTION APPROVING ZONING PETITION NO. 87-106
SPECIAL EXCEPTION PETITION OF JAMCO, INC.

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. 87-106 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on October 29, 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. 87-106, the petition of JAMCO, INC., by Dennis Stevenson, Agent, for a SPECIAL EXCEPTION TO ALLOW A CONCRETE MIXING AND PRODUCT MANUFACTURING FACILITY on a parcel of land being a portion of Tract 4, Block 6, according to the Palm Beach Farms Company Plat No. 3, Section 33, Township 43 South, Range 42 East, as recorded in Plat Book 2, Pages 45-54, and being more particularly described as follows:

Being the South 307.00 feet of the West 330.00 feet of the East 355.00 feet of said Tract 4, Block 6, located on the West side of Pike Road (75th Avenue North), approximately .1 mile South of Belevedere Road, in an IG-General Industrial Zoning District, was approved as advertised, subject to the following conditions:

1. Prior to certification, the site plan shall be amended to indicate the following:
 - a. Required landscaping between vehicular use areas and right-of-way; and interior lot lines of abutting properties.
 - b. An extension of the proposed berm system along the entire eastern property line, with an increase in height of two (2) feet, to a mean elevation of +20.0 feet. This shall be landscaped with hedge material and canopy vegetation to create an opaque mass with a maximum separation of 20 feet between groupings.
2. No signs shall encroach either the required five (5) foot setback or landscape strip.
3. No off-premise signs or billboard-style signs shall be placed on the site.
4. Hours of operation shall be limited to the hours between 6:00 A.M. and 7:00 P.M.
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 100% of three (3) inches of the stormwater runoff generated by a three (3) year-one (1) hour storm as required by the Permit Section, Land Development Division or provide legal positive outfall to the site. 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. The developer shall design the drainage system such that storm water runoff from the parking areas and paved surface shall be separate from those areas which may contain hazardous or undesirable waste from the proposed site.
6. The property owner shall construct a left turn lane, south approach and a right turn lane, north approach on Pike Road at the project's entrance road concurrent with onsite paving and drainage improvements.
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 \$5,358.00 (200 trips X \$26.79 per trip).

8. 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 (or prior to issuance of Building Permit for straight rezoning).
9. Since water service is available to the property, a potable water well shall not be approved for water use on said property.
10. Prior to site plan certification, the petitioner must apply with the F.D.E.R. for an Air Pollution and an Industrial Waste Permit.
11. No heavy vehicle or equipment maintenance shall be conducted on site.
12. In addition, the petitioner shall contribute the amount of \$345.00 as established in Article V, Section 3 (Insignificant Projects Standard) of the Palm Beach County Traffic Performance Standards Code. These total funds of \$345.00 shall be paid prior to issuance of the first building permit.

Commissioner Wilken 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 25th day of April, 1989 confirming action of October 29, 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