

RESOLUTION NO. R-89-955

RESOLUTION APPROVING ZONING PETITION NO. 85-98(B)
SPECIAL EXCEPTION PETITION OF AMOCO OIL COMPANY

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. 85-98(B) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on May 27, 1988; 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. 85-98(B) the petition of AMOCO OIL COMPANY, by Kieran J. Kilday, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR GASOLINE PUMP ISLAND FACILITIES, TO INCLUDE AN AUTOMATIC CAR WASH AND TO INCREASE BUILDING SQUARE FOOTAGE on a parcel of land lying in Tract B, Garden Lake, in Section 13, Township 43, South, Range 42 East, as recorded in Palm Beach Plat Book 20, Page 35; being located on the northeast corner of the intersection of Military Trail (SR 809) and 12th Street, and bounded on the north by Old 12th Street, in a CG-General Commercial Zoning District, was approved as advertised, subject to the following conditions:

1. Petitioner shall comply with all previous conditions of approval unless expressly modified herein.
2. Hours of operation of the car wash facility shall be limited to 7:30 a.m. to 10:00 p.m. daily.
3. The developer shall provide discharge control and treatment for 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 the stormwater runoff generated by a three (3) year-one (1) hour storm with a total rainfall of 3 inches as required by 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.

4. The developer shall design the drainage system such that storm water runoff from the parking areas and paved surfaced area shall be separate from those areas which may contain hazardous or undesirable waste from the proposed site.
5. Within 90 days of approval of this project, the property owner shall convey to Palm Beach County by road right-of-way warranty deed for Safe Sight corners at all intersections free of all encumbrances and encroachments. Petitioner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments.
6. 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 **\$2,679.00 (100 trips X \$26.79 per trip)**.
7. In addition the petitioner shall contribute the amount of **\$2,947.00** as established in Article V Section 3 (Insignificant Project Standard) of the Traffic Performance Standards Code. These total funds of **\$2,947.00** shall be paid prior to the issuance of the first Building Permit.
8. Generation and disposal of hazardous effluents into sanitary sewerage system shall be prohibited unless adequate pretreatment facilities approved by the Florida Department of Environmental Regulation (FDER) and Agency responsible for sewage works are constructed and used by project tenants or owners generating such effluents.
9. Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site.
10. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water.
11. No off-premise signs shall be permitted on the site.