

RESOLUTION NO. R-92- 1822

RESOLUTION APPROVING ZONING PETITION NO. 92-15  
REZONING PETITION OF JOHN & MARGUERITE CARUSO

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, have been satisfied; and

WHEREAS, Petition No. 92-15 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its Public Hearing conducted on June 29, 1992; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, 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 the 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, sitting as the Zoning Authority, made the following findings of fact:

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations.

WHEREAS, Chapter 402.5 of the Zoning Code, requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 92-15, the petition of JOHN & MARGUERITE CARUSO, BY LARRY M. MESCHES, AGENT, for a REZONING FROM THE AGRICULTURAL RESIDENTIAL (AR) TO THE LIGHT INDUSTRIAL (IL) ZONING DISTRICT on a parcel of land lying in Tract 5, Block 6, Palm Beach Farms Company Plat No. 3 recorded in Plat Book 2, Pages 45 thru 54 inclusive, Public Records of Palm Beach County, Florida, more particularly described as follows: The East 191.60 feet of the West 399.60 feet less the North 432.65 feet of the aforescribed Tract 5, said parcel being 227.35 feet by 191.60 feet and containing 1.0 acres of land; together with an easement for ingress-egress described as follows: The West 10.0 feet less the South 208.0 feet of Tract 5, Block 6, aforementioned and also the North 12 feet of the South 220 feet of the West 399.60 feet less the East 191.60 feet of the above described tracts, Block 6, said easement containing 0.16 acres, more or less. Together with another easement for ingress-egress described as follows: The Western 20 feet of the East 594 feet of Tract 5, Block 6, Palm Beach Farms Company Plat No. 3, less and except the East 198 feet thereof, according to the Plat thereof on file in the office of the

Clerk of the Circuit Court in and for Palm Beach County, Florida recorded in Plat Book 2, Pages 45 to 54, inclusive. Subject to reservations, restrictions, easements and rights of way of record, and being located APPROXIMATELY 433 FT S. OF BELVEDERE RD., APPROX. 1500 FT. E. OF BENOIST FARMS RD., was approved on June 29, 1992, as advertised, subject to the following voluntary commitments:

A. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Secondary containment for stored Regulated Substances-fuels, oils, solvents, or other hazardous chemicals is required. Department of Environmental Resources Management staff are willing to provide guidance on appropriate protective measures. (BUILDING-ERM)
2. Any area designated as a vehicle washing area, shall be located over an impervious surface with drainage separated from stormwater runoff. This area shall be depicted on the site plan prior to site plan certification. (ERM)

B. HEALTH

1. The use of the property shall be limited to a storage yard with no structures, no plumbing and no employees. Any future development of the site shall require the property to be connected to public sewer and an approved potable water supply. (ZONING-Building)

C. LANDSCAPING - GENERAL

1. The petitioner will be required to upgrade the site to conform to minimum Landscape Code requirements by June 30, 1993. This will include a minimum of one tree and three shrubs planted for every 2500 square feet of lot. Five foot landscape strips with one tree for each 30 linear feet of strip will be required along the perimeter of the site. (MONITORING-Zoning)
2. By June 30, 1993, the petitioner will be required to completely screen the outdoor storage operations from view with an on-site combination of fencing and vegetation to a height of six feet. The petitioner shall have the option of obtaining variance relief from this requirement by the Board of Adjustment. (MONITORING-Zoning)

D. USE LIMITATIONS

1. Use of the site shall be limited in accordance with the valid Certificate of Concurrency Reservation issued for this site, as may be amended. (CODE ENFORCEMENT-Planning)

Commissioner Marcus moved for approval of the Resolution.

The motion was seconded by Commissioner Roberts and, upon being put to a vote, the vote was as follows:

Mary McCarty, Chair	--	AYE
Ken Foster, Vice Chair	--	ABSENT
Burt Aaronson	--	AYE
Maude Ford Lee	--	AYE
Karen T. Marcus	--	AYE
Warren Newell	--	AYE
Carol A. Roberts	--	AYE

The Chair thereupon declared the resolution was duly passed and adopted this 1st day of December, 1992.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

BY: *Andrew Otter*  
COUNTY ATTORNEY

BY: *Robert Johnson*  
DEPUTY CLERK

