

STATUS REPORT SR 84-75.2  
(For Zoning Petition 84-75)

Staff Recommendation

Staff recommends that the Board of County Commissioners revoke the Special Exception which allowed gasoline pump island facilities. This recommendation is based on the following:

- 1 The property owner does not wish to utilize the Special Exception
- 2 The property owner has not benefitted from the Special Exception
- 3 The property owner has complied with condition number 6 which required the conveyance of right-of-way for Military Trail
- 4 The property owner has installed landscaping and sewer

Development Approval Being Reviewed. Zoning Petition 84-75 was approved by the adoption of Resolution R-84-1302 on September 11, 1984. The resolution approved a Special Exception to allow gasoline pump island facilities in a CG-General Commercial District zoning district. The zoning action is now being reviewed pursuant to Unified Land Development Code Section 5.8 Compliance with Time Limitations as development has not commenced.

Property Description. The subject property is approximately 0.4 of an acre in size and is on the northwest corner of the intersection Forest Hill Boulevard and Military Trail (S R 809).

Property Owner(s). Chevron USA Inc.

Required Action. Unified Land Development Code Section 5.8 requires that the Board of County Commissioners take one or more of the following actions: grant a time extension of up to twelve months; rezone the property and/or revoke the Special Exception; impose entitlement density/intensity; add or modify conditions of approval; permit the property owner to file a petition to add or modify conditions of approval.

REVIEW FACTORS

Consistency with Land Use Plan

The Land Use Plan category for the subject property is Commercial with an underlying designation of High Residential 8. The current zoning is consistent with the Comprehensive Plan.

Performance Standards

The current approval meets the Countywide Traffic Performance Standard with one (1) percent additional traffic under Test #2.

Supplemental Information

The property is currently the site of an existing non-conforming service station. When Petition 84-75 was approved, the intention of the owner was to demolish the existing building and construct a new one. The property owner's representative has stated that the owner no longer wishes to develop the property as shown on the site plan submitted with Petition 84-75. The existing service station will continue to operate as a valid non-conforming use.

Even though the property owner does not wish to utilize the

special exception an agent for the property owner spoke with staff several times and agreed to make landscaping improvements and hook up to the sewer which is now in the area

In March 1992 the property owner s agent notified staff that they had a bond for the sewer work and anticipated completing the sewer and landscape work in approximately six or seven months On March 26 1992 the BCC postponed action on the status report until the October 29 1992 BCC meeting

The work was delayed and commencement of connection to sewer was scheduled for October 10 1992 On October 29 1992 the BCC postponed action on Status Report 84-75 until December 4 1992 The landscaping has now been installed and most of the work for the sewer hookup has been completed

Condition number 6 of Resolution R-84-1302 (Petition 84-75) required the conveyance of for Military Trail by December 11 1984 Right-of-way was accepted by Palm Beach County on May 7 1985

March 1992  
Revised October 1992  
Revised November 1992