

ORIGINAL

RESOLUTION NO. R- 81-1613

RESOLUTION APPROVING ZONING PETITION

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. 81-196 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 29 October 1981; 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, the Board of County Commissioners made the following findings of fact:

1. The proposal would be in harmony and compatible with the present and future development of the area concerned

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 29th day of October, 1981, that Petition No. 81-196 the petition of FLA-MANGO INC., by Henry Skokowski, Agent, for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED OFFICE BUSINESS PARK, INCLUDING A RESTAURANT AND LOUNGE on the South 220 feet of the North

455 feet of the West 55 feet of Tract 34; together with the South 220 feet of the North 455 feet of Tract 35; together with the South 220 feet of the North 235 feet of the West 98 feet of the East 142 feet of Tract 36, less the South 10 feet of the North 25 feet of the West 98 feet of the East 142 feet thereof; together with the South 20 feet of the North 235 feet of Tract 36, lying West of the East 142 feet thereof; together with the South 220 feet of the North 455 feet of Tract 36. Together with the South 117.5 feet of the North 132.5 feet of the West 55 feet of Tract 34, and the South 117.5 feet of the North 132.5 feet of Tract 35, and the South 117.5 feet of the North 132.5 feet of the East 44 feet of Tract 36, Model Land Company's Subdivision of Section 20, Township 44 South, Range 43 East, in Plat Book 5, page 79, less and excepting that part conveyed to the State of Florida, for 10th Avenue North. Together with the South 102.5 feet of the North 235 feet of the West 55 feet of Tract 34, the South 102.5 feet of the North 235 feet of Tract 35, and the South 102.5 feet of the North 235 feet of the East 44 feet of Tract 36, of the Model Land Company's Subdivision of Section 20, Township 44 South, Range 43 East, as recorded in Plat Book 5, page 79. Together with the South 190 feet of the North 215 feet of Tract 36, except the East 142 feet thereof, Model Land Company's Subdivision of Section 20, Township 44 South, Range 43 East, as recorded in Plat Book 5, page 79, all of the above parcel being in Model Land Company's Subdivision of Section 20, Township 44 South, Range 43 East as recorded in Plat Book 5, page 79. Said property located on the southwest corner of the intersection of 10th Avenue South, approximately 220 feet west of Boutwell Road, was approved as advertised subject to the following conditions:

1. Petitioner shall convey to Palm Beach County within ninety (90) days of Special Exception approval 54' from centerline for the ultimate right of way for 10th Avenue North.

2. Petitioner shall modify the existing striping to provide for a left turn lane, east approach, on 10th Avenue North at the project's entrance prior to the issuance of a Certificate of Occupancy.
3. Petitioner shall contribute Nineteen Thousand One Hundred and Twenty-five Dollars (\$19,125.00) toward the cost of meeting this project's direct and identifiable traffic impact to be paid at the time of issuance of the building permits.
4. The developer will take reasonable precautions during the development of this project to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties.
5. The developer will take necessary precautions to insure there will be no pollutant run-off from this project to adjacent or nearby surface waters.
6. Significant native vegetation on site shall be preserved.
7. Site plan shall reflect required parking, access and loading dimensions.

Commissioner Koehler, moved for approval of the petition.

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

Frank Foster, Chairman	-	Yes
Norman Gregory, Vice Chairman	-	Yes
Bill Bailey, Member	-	Absent
Dennis Koehler, Member	-	Absent
Peggy B. Evatt, Member	-	Yes

The foregoing resolution was declared duly passed and adopted this 22d day of December, 1981, confirming action of 29 October 1981.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *[Signature]*
 Deputy Clerk

APPROVE AS TO FORM
 AND LEGAL SUFFICIENCY

[Signature]
 County Attorney

