

RESOLUTION NO. R-77-241

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. 77-11 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24 February 1977

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 24th day of February, 1977, that petition No. 77-11 the petition of ROBERT R. KIPP AND CHARLES H. KEATING, JR., by Daniel J. O'Brien, Agent, for a SPECIAL EXCEPTION TO ALLOW A COMMERCIAL, NEW AND USED, BOAT AND OUTBOARD SALES AND SERVICE FACILITY AND LOT on the Easterly 370 feet, as measured at right angles to the East boundary line of Lot 20, together with the South 35 feet of the East 370 feet, as measured along and at right angles to the East boundary of Lot 21, Delray Beach Estates, in Section 4, Township 46 South, Range 43 East, as recorded in Plat Book 21, page 13; containing 1.15 acres, more or less. Said property located on the west side of U. S. No. 1, approximately 200 feet south of Gulfstream Boulevard in a CG-General Commercial District, was approved as advertised subject to the following special conditions:

1. Within ninety (90) days of the Special exception approval the Developer shall convey to Palm Beach County the additional right-of-way required to provide sixty (60) feet from the centerline of U.S. Highway #1 for the ultimate right-of-way.

2. Within sixty (60) days of the Special Exception approval the Developer shall make the required modifications to the property to retain on site eighty-five (85) percent of storm-water runoff from a 1 in 3 year storm of 1 hour duration. The property shall be inspected by the County Engineering Department to determine compliance with this condition.

3. There shall be no outside testing of engines within the south seventy (70) feet of the property.

4. Engine testing shall be accomplished between the hours of 9 A.M. and 5 P.M. only. Also, there shall be no testing of engines on Sunday.

Commissioner Medlen, 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:

Lake Lytal, Chairman	-	Yes
Peggy Evatt, V. Chairman	-	Yes
William Medlen	-	Yes
Dennis Koehler	-	Yes
Bill Bailey	-	Absent

The foregoing resolution was declared duly passed and adopted this 1st day of March, 1977, confirming action of 24 February 1977.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Richard A. Boyle*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

Richard A. Boyle
County Attorney

