

RESOLUTION NO. R-79- 924

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. 79-133 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28 June 1979.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 28th day of June, that petition No. 79-133 the petition of KELLY TRACTOR COMPANY, by Richard Neville, Agent, for the FURTHER SPECIAL EXCEPTION TO ALLOW A COMMERCIAL, NEW AND USED, LARGE SCALE REPAIR AND HEAVY EARTHMOVING EQUIPMENT SALES AND SERVICE FACILITY AND LOT INCLUDING ON SITE WATER TREATMENT PLANT on the Westerly 260 feet of the Easterly 1997.89 feet of the North 1/2 of the Northeast 1/4 of Section 26, Township 43 South, Range 42 East, excepting therefrom the right-of-way for Okeechoee Road and Elmhurst Street (as recorded in Official Record Book 143, page 167), AND the Westerly 100 feet of the Easterly 1737.89 feet of the North 1/2 of the Northeast 1/4 of Section 26, Township 43 South, Range 42 East; subject to the right-of-way for Okeechobee Road (S.R. S-704) and Elmhurst Street, including additional right-of-way for Elmhurst Street, conveyed by the grantors to the County of Palm Beach by right-of-way deed recorded in Official Record Book 127, page 622), and subject to rights-of-way of the Lake Worth Drainage District

(as recorded in Official Record Book 708, page 711). Said property located on the south side of Okeechobee Boulevard (S.R. 704), approximately .3 mile west of Haverhill Road, was approved as advertised subject to the following conditions:

1. Petitioner shall construct a left turn lane, east approach, on Okeechobee Boulevard at the westerly entrance,
2. Petitioner shall not be allowed an additional median opening on Okeechobee Boulevard.
3. Petitioner shall convey to the Lake Worth Drainage District the South 10.00 feet of the North 370.00 feet of the West 360.00 feet of the East 1997.89 feet of the N 1/2 of the NE 1/4 of Section 26, 43/42 for the Required Right-of-Way for Lateral Canal No. 1 (L-1). The Lake Worth Drainage District **will** accept an Easement (on our form).
4. Petitioner shall retain the rear (southerly) two hundred (200) feet of the subject site in its native condition, to serve as a natural buffer for adjacent residentially zoned land.
5. Petitioner shall install a 6' high wall ten (10) feet inside the east property line of the subject parcel adjacent to residentially zoned property. A landscaped berm must be installed by the petitioner adjacent to said wall extending to the Kerslake property.

Commissioner Gregory, moved for approval of the petition.

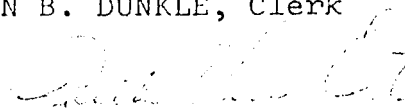
The motion was seconded by Commissioner Evatt, and upon being put to a vote, the vote was as follows:

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


The foregoing resolution was declared duly passed and adopted this 24th day of July, 1979, confirming action of 28 June 1979.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: 
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney