

RESOLUTION NO. R- 80-225

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. 80-10 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24 January 1980; 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 conform to the character of the district and its peculiar suitability for particular uses
2. The proposal would be consistent with the needs of the County for land areas for specific purposes to serve population and economic activities
3. The proposal would not be disruptive to the character of the neighborhoods or adverse to playgrounds, parks, schools and recreation areas

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 24th day of January, 1980, that Petition No. 80-10 the petition of LOUIS A. GAETA, JR., TRUSTEE, by James H. Watson, Agent, for a SPECIAL EXCEPTION TO ALLOW A USED CAR FACILITY on a parcel of land more particularly described as follows: Commencing

at a point on the Westerly right-of-way line of Military Trail (State Road No. 809), said point being 216 feet North of the South line of the Northeast 1/4 of the Southwest 1/4 of Section 1, Township 44 South, Range 42 East; thence North along the Westerly right-of-way line of said Military Trail, a distance of 259 feet to a point; thence West, parallel to the South line of the Northeast 1/4 of the Southwest 1/4 of said Section 1, a distance of 349 feet to a point; thence South parallel to said West right-of-way line of Military Trail a distance of 259 feet; thence East 349 feet to the Point of Beginning. Said property located on the west side of Military Trail (S.R. 809) and approximately .4 mile south of Gun Club Road in a CG-General Commercial District, in part, and an RM-Residential Multiple Family District (Medium Density) in part, was approved as advertised, MINUS the Westerly 200 feet thereof, per the petitioner's request, subject to the following conditions:

1. Within ninety (90) days of Special Exception approval, petitioner shall convey to Palm Beach County sixty (60) feet from centerline for the ultimate right-of-way for Military Trail.
2. Petitioner shall not be allowed a median opening on Military Trail.
3. Petitioner shall be allowed only one access drive on Military Trail.
4. Petitioner shall contribute Eight Hundred Seventy-five Dollars (\$875.00) for the cost of meeting this project's direct and identifiable traffic impact to be paid at the time of issuance of the building permit(s). This Fair Share Traffic Impact contribution has been determined in accordance with the provisions of Ordinance 79-7. However, regardless of the present or future status of this Ordinance, this development shall be required to provide the above Eight Hundred Seventy-five Dollars (\$875.00) toward alleviating some of its direct and identifiable traffic impact.
5. All landscaping shall be installed as shown on site plan submitted prior to the issuance of a Certificate of Occupancy.
6. All customer parking spaces must be so designated on the site and not used for display purposes.
7. The proposed used car lot shall be limited to a maximum of seventy (70) display vehicles.
8. Petitioner must remove any vegetation encroaching onto adjacent properties.

Commissioner Bailey, moved for approval of the petition.
The motion was seconded by Commissioner Gregory, and upon being
put to a vote, the vote was as follows:

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

The foregoing resolution was declared duly passed and adopted
this 12th day of February, 1980, confirming action of
24 January 1980.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Norman R. Gregory*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

William F. Hall
County Attorney

