

RESOLUTION NO. R-81-876

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. 81-91A was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 25 June 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 21st day of JULY, 1981, that Petition No. 81-91A the petition of THOMAS J. WHITE by Sally S. Benson, Attorney; for the FURTHER SPECIAL EXCEPTION TO ALLOW THE REVISION OF A PLANNED COMMERCIAL DEVELOPMENT APPROVED NOVEMBER 6, 1973 UNDER PETITION NO, 73-159 on the West 380 feet of Tract "A" according to Plat No. 1 Westroads Business and Industrial Park, in Section 36, Township 42 South, Range 42 East, as recorded in Plat Book 29, page 137, and also the following

described property: Beginning at the Northwest corner of Tract "E", according to Plat No, 2, Westroads Business and Industrial Park, thence North  $53^{\circ}14'59''$  West a distance of 484.86 feet to a point on the East right-of-way line of Military Trail (S.R. No. 809); thence South  $2^{\circ}20'11''$  West along said right-of-way line a distance of 1869.75 feet; thence South  $87^{\circ}39'49''$  East, a distance of 10.00 feet to the beginning of a curve concave to the Northeast, having a radius of 25 feet and central angle of  $90^{\circ}12'45''$ ; thence Southeasterly 39.36 feet along the arc of said curve (said curve also being the North right-of-way line of Westroads Drive); thence South  $87^{\circ}52'34''$  East, along said right-of-way line 164.91 feet; thence South  $79^{\circ}20'43''$  East, along said right-of-way line a distance of 202.24 feet; thence North  $2^{\circ}20'11''$  East, a distance of 350 feet; thence South  $87^{\circ}52'34''$  East, a distance of 265 feet to a point on the West right-of-way line of White Drive; thence North  $2^{\circ}20'11''$  East along said right-of-way line, a distance of 714.20 feet to the beginning of a curve, concave to the West, having a radius of 25 feet and central angle of  $48^{\circ}11'43''$  thence Northwesterly 21.03 feet along the arc of said curve to the beginning of a curve, concave to the East, having a radius of 50 feet and a partial central angle of  $136^{\circ}28'39''$ ; thence Northerly along the arc of said curve, and the West right-of-way line of White Drive, a distance of 119.10 feet; thence North  $2^{\circ}20'11''$  East, a distance of 279.58 feet to a point on the South right-of-way line of the S.C.L.R.R.; thence North  $53^{\circ}14'59''$  West a distance of 351.53 feet along said right-of-way line to the Point of Beginning. Said property located at the southeast corner of the intersection of Military Trail (S.R. 809) and the Bee Line Highway (S.R. 710), was approved as advertised subject to the following conditions:

1. Petitioner shall contribute Four Thousand Eight Hundred and Seventy-five Dollars (\$4,875.00) toward the cost of meeting this project's direct and identifiable traffic impact to be paid at the time of issuance of the building permit(s).

2. The developer will take reasonable precautions during the development of this project to insure that fugitive particulates (dust particles) from the project do not become' a nuisance to neighboring properties.
3. The developer will take necessary precautions to insure there will be no pollutant run-off from this project to adjacent or nearby surface waters.
4. The master plan for the PCD shall be amended to designate the parcel fronting on Military Trail as "reserved for future commercial development subject to Board of County Commission approval".
5. The petitioner shall resolve subdivision code violations prior to the issuance of any building permits.

Commissioner Evatt , moved for approval of the petition.

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

Frank Foster, Chairman	<b>AYE</b>
Norman Gregory, Vice Chairman	AYE
Bill Bailey, Member	AYE
Dennis Koehler, Member	AYE
Peggy B. Evatt, Member	AYE

The foregoing resolution was declared duly passed and adopted this 21st day of JULY, 1981 , confirming action of 25 June 1981.

PALM BEACH COUNTY, FLORIDA  
 BY ITS BOARD OF COUNTY  
 COMMISSIONERS

JOHN B. DUNKLE, Clerk-

By: *Ruth Van Cittern*  
 Deputy Clerk

APPROVE AS TO FORM  
 AND LEGAL SUFFICIENCY

*[Signature]*  
 County Attorney

