

RESOLUTION NO. R-81-1045

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. 81-98 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23 July 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 **23** day of **July** 1981, that Petition No. 81-98 the petition of MICHAEL C. and LINDA POSNER by David L. Carpenter, Agent, for the REZONING, FROM AG-AGRICULTURAL DISTRICT TO **CS-SPECIALIZED** COMMERCIAL DISTRICT of the West 685 feet of the **South** 1/2 of the South 1/2 of the Northwest 1/4 of the **Northwest** 1/4 of Section

25, Township 46 South, Range 42 East, less the right-of-way for Military Trail. Subject to a 20 foot ingress and egress easement over the North 20 feet of the South 25 feet thereof. Said property located on the east side of Military Trail (S.R. 809), approximately .2 mile south of S.W. 12th Street (Linton Boulevard), was approved as amended per the petitioner's request to INCLUDE A SPECIAL EXCEPTION FOR A PLANNED COMMERCIAL DEVELOPMENT, subject to the following conditions:

1. Within ninety (90) days of Special Exception approval, petitioner shall convey to Palm Beach County an additional 15' east of west Section Line of Section 25 for the ultimate right of way for Military Trail.
2. Petitioner shall construct Military Trail to a 4-lane median divided section from its proposed southern terminus to this project's south propertyline.
3. Petitioner shall construct a right turn lane, south approach, and a left turn lane, north approach, at the project's entrance and Military Trail, prior to the issuance of a Certificate of Occupancy.
4. Petitioner shall contribute Forty-two Thousand Three Hundred and Seventy-five Dollars (\$42,375.00) 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).
5. 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.
6. The developer will take necessary precautions to insure there will be no pollutant run-off from this project to adjacent or nearby surface waters.

Commissioner Bailey, 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	- Aye
Norman Gregory, Vice Chairman	- Absent
Bill Bailey, Member	- Aye
Dennis Koehler, Member	- Aye
Peggy B. Evatt, Member	- Aye

The foregoing resolution was declared duly passed and adopted
this 25 day of August 1981, confirming action of
23 July 1981.

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Ruth Van Allen*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

Sam M. Bushby
County Attorney

