

RESOLUTION NO. R- 81-1217

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. 81-152 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 27 August 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 27th day of August, 1981, that Petition No. 81-152 the petition of KNIGHT ENTERPRISES, INC., by Henry Skokowski, Agent, for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT, INCLUDING A LARGE SCALE COMMUNITY SHOPPING CENTER IN EXCESS OF 50,000 SQUARE FEET OF TOTAL FLOOR AREA AND AN AUTO SERVICE STATION WITH MECHANICAL REPAIR FACILITIES on Parcels 1 and 2 as shown on Plat of Country Club Trail commercial, in Section 24, Township 45 South,

Range 42 East as recorded in Plat Book 30, page 171. Said property located on the northeast corner of the intersection of Military Trail (S.R. 809) and Boynton Road (S.R. 804), was approved as advertised subject to the following conditions:

1. Petitioner shall construct as a **4-lane**, median-divided section prior to the issuance of a **Certificate** of occupancy:
 - a. Military Trail from Boynton West Road to Old Boynton West Road
 - b. Boynton West Road from Military Trail to the project's east propertyline.
2. Petitioner shall construct at the intersection of Military Trail and Boynton West Road prior to the issuance of a Certificate of Occupancy:
 - a. left turn lane, north approach
 - b. left turn lane, south approach
 - c. left turn lane, east approach
 - d. left turn lane, west approach
3. Petitioner shall construct at both of the project's entrances onto Military Trail prior to the **issuance** of a Certificate of Occupancy:
 - a. left turn lane, north approach
 - b. left turn lane, south approach
4. Petitioner shall only be permitted one median Opening on Boynton West Road, a minimum distance of 600 feet east of Military Trail.
5. Petitioner shall construct at the project's entrance and Boynton West Road prior to the issuance of a Certificate of Occupancy a left turn lane, west approach?
6. Petitioner shall construct at the intersection of **Military** Trail and Old Boynton Road prior to the issuance of a Certificate of **Occupancy**:
 - a. left turn lane, east approach
7. Signalization **when** warranted, as determined by the County Engineer, but shall be no later than five (5) years after the issuance of the final Certificate of Occupancy at the intersection of Military Trail and Old Boynton Road.
8. Petitioner shall construct Old Boynton West Road to a 3 lane section prior to the issuance of a Certificate of Occupancy from Military Trail to the project's east entrance.

9. Petitioner shall contribute One ~~hundred~~ ^{hundred} Seven ~~ty-one~~ Thousand One ~~Hundred~~ and ~~Eighty-eight~~ Dollars (\$171,188.00) toward the cost of meeting this project's direct and identifiable traffic impact, to be paid at the time of issuance of the building permits. This amount shall be credited toward road construction, as approved by the County Engineer.
10. 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.
11. The developer will take necessary precautions to insure there will be no pollutant run-off from this project to adjacent or nearby surface waters.
12. Loading areas and service courts along the eastern portion of the property shall be enclosed with wing wall of at least ten (10) feet in height.
13. Air conditioning and exhaust equipment shall be roof-mounted and screened from the east with solid barriers extending above the height of such equipment.
14. Opaque screening at least six (6) feet in height shall be established along the eastern property boundary.
15. The parking lot in the vicinity of the "fast food restaurant" area shall be redesigned to eliminate back-out parking into the internal access road.
16. Petitioner shall abandon the platted setback which is currently in effect on the subject property.
17. Petitioner shall indicate the location of the lift station prior to Site Plan Review Committee meeting.

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:

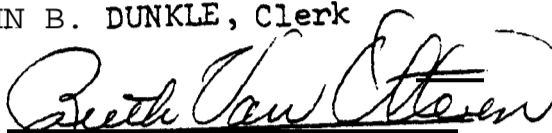
Frank Foster, Chairman	Aye
Norman Gregory, Vice Chairman	Nay
Bill Bailey, Member	Aye
Dennis Koehler, Member	Aye
Peggy B. Evatt, Member	Aye

The foregoing resolution was declared duly **passed and** adopted
this 29th day of **September, 1981** , confirming action of
27 August 1981.

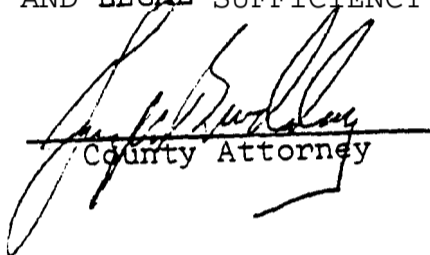
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By:


Ruth Ann Otterson
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney

