

RESOLUTION NO. R-82-155

RESOLUTION APPROVING ZONING PETITION 81-235, Special Exception

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. 81-235 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23 December 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 23d day of December, 1981, , that Petition No. 81-235 the petition of ALBERT R. DENMARK, IRVING J. DENMARK and ARTHUR B. LEIBOVIT, by Jack Potrekus, Agent, for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on Lots 2 and 3, Block

1, Palm Beach Farms Company Plat No. 9, in Section 30, Township 43 South, Range 42 East. Said property located on the south side of Okeechobee Boulevard (S.R. 704), approximately 480 feet east of State Road No. 7 (100th Avenue North), was approved as advertised subject to the following conditions:

1. Petitioner shall construct at the project's entrance road and Okeechobee Boulevard concurrent with the filing of the first plat:
 - a. left turn lane, east approach
 - b. right turn lane, west approach
2. Petitioner shall construct at the intersection of State Road No. 7 and Okeechobee Boulevard concurrent with the filing of the second plat a left turn lane, east approach.
3. Petitioner shall contribute Seventeen Thousand Seven Hundred and Twenty-two Dollars (\$17,722.00) toward the cost of meeting this project's direct and identifiable traffic impact, to be paid on a pro-rata basis at the time of filing of each plat.
4. 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.
5. The developer will take necessary precautions to insure there will be no pollutant run-off from this project to adjacent or nearby surface waters.
6. Density shall be restricted to a maximum of three (3) dwelling units per acre pursuant to Ordinance No. 81-6.

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

The foregoing resolution was declared duly passed and adopted
this 9th day of February, 1982, confirming action of
23 December 1981.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *John B. Dunkle*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

Cliff J. Mault
County Attorney

