

RESOLUTION NO. R-83-195

RESOLUTION APPROVING ZONING PETITION 82-129, 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. 82-129 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28 October 1982; 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 28th day of October, 1982, that Petition No. 82-129 the petition of HARVEY E. SYKES JR. AND DOUGLAS M. SYKES By Zell Davis, Attorney, for THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT, INCLUDING A MOTEL on the North 1/2 of the Northeast 1/4, lying South of Okeechobee Road, being the Southerly 515 feet of the Northerly 590 feet of the Westerly 620.38 feet of the Easterly 1260.38 feet of Section 27, Township 43 South, Range 42 East, less, however the Easterly 60 feet of the Southerly 295 feet of the aforescribed parcel for dedicated Right-of-Way. Said property located on the south side of Okeechobee Road (S.R. 704), approximately .1 mile east of Florida's Turnpike, was approved as advertised subject to the following conditions:

1. The Developer shall 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.
2. The Developer shall take reasonable precaution to insure that runoff from this project will not pollute adjacent or nearby surface waters.
3. Developer shall work with the County Staff, at such time that site development commences to insure identification of significant native vegetation.
4. Developer shall deed to the Lake Worth Drainage District by Quit Claim or Easement Deed acceptable to the District the South 20.0 feet of the subject property for the required right-of-way for Lateral Canal No. 22.
5. Petitioner shall retain onsite 85% of the stormwater runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.
6. Petitioner shall convey to Palm Beach County, within ninety (90) days of approval, the ultimate right of way for Okeechobee Boulevard, 80 feet from centerline. (approximately an additional 5 feet of right of way).
7. Developer shall not be permitted direct access onto Okeechobee Blvd. along the project's frontage.
8. Developer shall provide a 60 foot access easement along the east property line for the property adjacent to the south and east per the County Engineer's approval.
9. Developer shall contribute the sum of Forty-Nine Thousand and Fifty Dollars (\$49,950.00) toward the cost of meeting this project's direct and identifiable traffic impact, to be paid at the rate of \$.49 per square foot at the time of issuance of the building permit(s).

Commissioner Bailey , 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:

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

The foregoing resolution was declared duly passed and adopted this 8th day of February , 1983 , confirming action of 28 October 1982.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: Beatrice B. Madson  
Deputy Clerk

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

John Cabell  
County Attorney

