

RESOLUTION NO. R- 83-208

RESOLUTION APPROVING ZONING PETITION 82-158, 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. 82-158 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. 82-158 the petition of GENERAL HOST CORPORATION, By James H. Watson, Agent, for a SPECIAL EXCEPTION TO ALLOW GASOLINE PUMP ISLAND FACILITY on Tract "A", less the East 97 feet, Garden Lakes Subdivision, in Section 13, Township 43 South, Range 42 East, as recorded in Plat Book 26, Page 35, a/k/a the Northeast corner of Military Trail (S.R. 809) as measuring 234 feet, mol, along the East ultimate right-of-way line of Military Trail not including curve radii, and 12th Street and measuring 157 feet, mol, along the North dedicated right-of-way line of 12th Street, not including curve radii. Said property located on the northeast corner of the intersection of Military Trail (S.R. 809) and 12th Street in a CG-General Commercial District, was approved as advertised subject to the following conditions:

1. Petitioner shall submit a revised site plan providing for the following:
  - Location of proposed pumps shall accommodate the 100' stacking requirement.
  - Off-street loading regulations shall provide for one (1) loading bay 12' x 30'.
  - A 5' landscape strip shall be accommodated between access pavement and ultimate right-of-way of Military Trail.
  - No point of purchase sign shall be permitted within or overhanging into required landscape strips..
2. Developer shall provide for public restrooms and air hose.
3. Petitioner shall convey to Palm Beach County within ninety (90) days of approval, the ultimate right of way for Military Trail, 60 feet from centerline. (Approximately an additional 7 feet of right of way.)
4. Petitioner shall be permitted only one entrance/exit onto Military Trail, a minimum distance of 240 feet north of centerline of 12th Street.
5. Petitioner shall be permitted only one entrance/exit onto 12th Street a minimum distance of 140 feet east of the center line of Military Trail.
6. Petitioner shall contribute the sum of Twelve Thousand Five Hundred Dollars (\$12,500.00) 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.

Commissioner Koehler , moved for approval of the petition.

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

Bill Bailey, Member	Absent
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: *Antonia B. Woodson*  
Deputy Clerk

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

*John Galotti*  
County Attorney

