

RESOLUTION NO. R-84-1118

RESOLUTION APPROVING ZONING PETITION 84-41, 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. 84-41 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 29th March 1984; 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 proposed Special Exception is consistent with the requirement of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 29th day March 1984, that Petition No. 84-41 the petition of J.A. AND GENOVEVA JETTINGHOFF By Beril Kruger, Agent, for a SPECIAL EXCEPTION TO ALLOW A EQUIPMENT SALES AND REPAIR SERVICE on the South 132 feet of the North 396 feet of the West 1/2 of the Southwest 1/4, of the Southwest 1/4 of the Northwest 1/4 of Section 12, Township 46 South, Range 42 East, less the right-of-way of Military Trail (S R 809), being the West 40 feet thereof Said property located on the east side of Military Trail (S.R.809) approximately 3 miles north of Lake Ida Road, in a CG-General Commercial District was approved as advertised subject to the following conditions

1. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.
2. The Property Owner shall convey for the ultimate right of way of Military Trail, 60 feet from centerline approximately an additional 20 feet within 90 days of approval; conveyance must be accepted by Palm Beach County prior to issuance of first building permit.
3. This development shall be permitted only one access onto Military Trail .
4. The developer shall contribute Seven Hundred and Thirteen Dollars (\$713 00) toward the cost of meeting this project's direct and identifiable impact, to be paid at the time of the building permit.
5. Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.
6. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
7. Prior to certification, the site plan shall be amended to reflect all required landscape areas and materials and to provide for a six foot high solid masonry wall along the east property line.

Commissioner Koehler , moved for approval of the petition.

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

Ken Spillias, Chairman	--	AYE
Dorothy Wilkens, Vice Chairman	--	AYE
Peggy Evatt, Member	--	ABSFNT
Dennis P. Koehler, Member	--	AYE
Bill Bailey, Member	--	ABSENT

The foregoing resolution was declared duly passed and adopted this 14th day of Aug , 1984 , confirming action of 29th March 1984

FILED THIS DAY OF
AUG 14 1984
AND RECORDED IN RESOLUTION
MINUTE BOOK NO 304 AT
PAGE 259-260 RECORD VERIFIED
JOHN B. DUNKLE, CLERK
BY *John B. Dunkle* c

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *John B. Dunkle*
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

84 1118

John B. Dunkle