

RESOLUTION NO. R-85-1079

RESOLUTION APPROVING ZONING PETITION 84-5(A), Modification

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. 84-5(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 23rd May 1985; 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. This proposal is consistent with the requirements 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 the 23rd of May 1985, that Petition No. 84-5(A) the petition of THE ORDER SONS OF ITALY IN AMERICA, By Paul S. Martino, Agent, to DELETE A SPECIAL CONDITION PLACED ON ZONING PETITION NO. 84-5 APPROVED FEBRUARY 23, 1984:

CONDITION NO. 3 READS:

3. The developer shall construct concurrent with onsite paving and drainage improvements pursuant to a Paving and Drainage Permit issued from the Office of the County Engineer Coconut Road from 2nd. Avenue North to the property's north property line.

DELETE CONDITION NO. 3:

Said property located on the northeast corner of the intersection of 2nd. Avenue North and Coconut Drive, and approximately 180 feet north of Lake Worth Road (S.K. 802) in an RM-Residential Multiple Family

District (Medium Density) was approved as advertised subject to the following conditions:

1. Condition Number **3**, which states:

"3. The developer shall construct concurrent with onsite paving and drainage improvements pursuant to a Paving and Drainage Permit issued from the office of the County Engineer, Coconut Road from 2nd Avenue North to the project's north property line."

is hereby deleted.

Note: According to the present site plan, all of this project's traffic **will** be onto 2nd Avenue North.

Because this developer has **no** access onto Coconut Drive and therefore no traffic from this site onto Coconut Drive, the Engineering Department concurs with the request to delete Condition #3 requiring this developer to pave Coconut Drive (indicated in petition as Coconut Road).

2. The developer shall continue to be bound by all other previously approved conditions.

3. The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority Meeting.

4. The property owner shall participate in any street improvement or drainage program for Coconut Road.

Commissioner Owens, moved for approval of the petition. The motion was seconded by Commissioner Marcus, and upon being put to a vote, the vote was as follows:

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|--------------------------------|--------|
| Ken Adams, Chairman | -- AYE |
| Karen T. Marcus, Vice Chairman | -- AYE |
| Kenneth Spillias, Member | -- AYE |
| Jerry L. Owens, Member | -- AYE |
| Dorothy Wilken, Member | -- AYE |

The foregoing resolution was declared duly passed and adopted this 23rd day of July confirming action of the 23rd May 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Cheryl Beupie
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Andy Brown
County Attorney