

*amended by  
R-86-446  
on 4-8-86*

RESOLUTION NO. R-85-1081

RESOLUTION APPROVING ZONING PETITION 84-102(B), 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. 84-102(B) 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. 84-102(B) the petition **of** JAMES B. BRYAN, 111, By Bruce Goorland, Attorney **for a SPECIAL EXCEPTION TO EXPAND AND AMEND THE SITE PLAN FOR A COMMERCIAL NEW AND USED AUTOMOBILE VEHICLE SALE, RENTAL AND REPAIR FACILITIES AND LOT PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 84-102(A)** on the North 56 feet of the Northeast  $\frac{1}{4}$  of Section 1, Township 44 South, Range 42 East, Less the East 53 feet for road purposes.

Together with the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 1, Township 44 South, Range 42 East, less the East 53 feet for road purposes. Said property located on the southwest corner **of** the intersection **of** Military Trail (S.R. 809) and Sunny Lane ~~was~~ approved as advertised subject to **the** following conditions:

1. This petition shall be subject to conditions previously approved

by the Board of County Commissioners on January 4, 1985.

2. The landscape buffer treatment along Sunny Lane shall be consistent with the landscape conditions imposed on Petition No. 84-102(A).

3. Condition #9 shall be amended to read:

"9. 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:

(A) Sunny Lane as a 3-lane section from Military Trail west to the project's west entrance.

(B) Right Turn Lane on Sunny Lane at the project's west entrance.

(C) The property owner shall make available to Palm Beach County prior to July 1, 1985 the cost of the construction of a Left Turn Lane, north approach on Sunny Lane at Haverhill Road, to be used toward the five laning of Haverhill Road from Forest Hill Boulevard to Southern Boulevard. This cost shall not include any bridge modification costs. These funds shall be based upon a certified cost estimate per the County Engineer's approval.

(D) Construct a Right Turn Lane, east approach, on Sunny Lane at Haverhill Road.

Any additional right-of-way required for the construction of these improvements shall be borne by the Developer."

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

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

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

Sandy Brown  
County Attorney