

RESOLUTION NO. R-80-1603

RESOLUTION APPROVING ZONING PETITION

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. 80-181 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23 October 1980; 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 not generate excessive noise or traffic
2. The proposal would be in harmony and compatible with the present and future development of the area concerned
3. The proposal would not be disruptive to the character of the neighborhoods or adverse to playgrounds, parks, schools and recreation areas

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 23rd day of October 1980, that Petition No. 80-181 the petition of FLORIDA COAST OIL COMPANY, IMC., by Alan Ciklin, Attorney, for THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT, INCLUDING AN AUTO SERVICE STATION AND ON-SITE SEWAGE TREATMENT PLANT on the East 1/2 of the Northwest 1/4 of the Southeast 1/4 of the Southeast 1/4 of Section 14, Township 46 South., Range 42 East, less the right-of-way for State Road No. 806 (West Atlantic Avenue) as shown in Road Plat Book 3, page 26. Said property located on the south side of West Atlantic Avenue (S.R. 806), approximately .1 mile west of Military Trail (S.R. 8091, was approved as advertised subject to the following conditions:

1. Within ninety (90) days of Special Exception approval, petitioner shall convey to Palm Beach County sixty (60) feet from centerline for the ultimate right-of-way for Delray West Road.
2. Petitioner shall construct at the project's entrance and Delray West Road:
  - a. right turn lane, west approach
  - b. left turn lane, east approach
  - c. curbed median on Delray West Road, a distance of 50 feet west of the project's entrance, per the County Engineer's approval
3. Petitioner shall provide access by way of a platted easement to the property owners to the south, per the County Attorney's approval.
4. Petitioner shall contribute Forty Thousand Fifty Dollars (\$40,050.00) or Eighty-seven Dollars (\$87.00)/100 sq. ft. of building area 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(s).
5. All landscaping shall be installed as shown on site plan submitted prior to the issuance of a Certificate of Occupancy.

Commissioner **Gregory** , 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:

Dennis Koehler, Chairman		AYE
Frank Foster, Vice Chairman	-	AYE
Bill Bailey, Member		AYE
Norman R. Gregory, Member	-	AYE
Peggy B. Evatt, Member		ABSENT

The foregoing resolution was declared duly passed and adopted  
this 25th day of November 1980 , confirming action of  
23 October 1980.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Ruth Van Otterin*  
Deputy Clerk

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

*Charles F. Schoech*  
County Attorney

