

RESOLUTION NO. R- 80-1610

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. 80-197 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. 80-197 the petition of JOHN A. and MARION STOMSKI and ROBERT and LAURIE HEIN for a SPECIAL EXCEPTION TO ALLOW A DAYCARE CENTER on Survey Plat of Lot 'E', Block 84, The Palm Beach Farms Co. Plat No. 7, in Section 30, Township 44 South, Range 43 East as recorded in Plat Book 5, page 72, also known as Lot 'E', Block 84, Grant Park Amended Plat, Plat Book 16, page 7. Said property located on the northwest corner of the intersection of Gulfstream Road and Melaleuca Lane in an RM-Residential Multiple Family District (Medium Density), 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:
  - a. Fifty-four (54) feet from centerline for the ultimate right-of-way of Melaleuca Lane
  - b. Thirty (30) feet from centerline for the right-of-way for Mulberry Lane
  - c. Thirty (30) feet from centerline for the right-of-way for Gulfstream Road
2. Petitioner shall construct Gulfstream Road from Melaleuca Lane north to the project's north entrance, as determined by the County Engineer.
3. Petitioner shall contribute One Thousand Two Hundred Fifty Dollars (\$1,250.00) 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(s).
4. Petitioner must install a 6 ft. privacy fence along the north property line prior to the issuance of a Certificate of Occupancy.

Commissioner Foster, moved for approval of the petition.  
The motion was seconded by Commissioner Bailey, 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: <sup>7</sup> Keith Van Otterden  
Deputy Clerk

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

Charles F. Schoach

County Attorney

