

RESOLUTION NO. R-81-43

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. 80-219 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 18 December 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 conform to the character of the district and its peculiar suitability for particular uses

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 18th day of December, 1980, that Petition No. 80-219 the petition of JOHN V. ALVAROE for a SPECIAL EXCEPTION TO ALLOW A COMMERCIAL NEW AND USED, AUTOMOBILE SALES LOT on the North 1/2 of Tract 12 (less the North 111.6 feet; less the South

96 feet; less the West 316.06 feet; less the East 15 feet, as conveyed to the County of Palm Beach, by Deed dated 11/20/48 filed 11/22/48 in Deed Book 860 page 465; less the West 13 feet of the East 28 feet as conveyed to the State of Florida by Deed dated 10/8/64, filed 10/14/64 in Official Record Book 1099 page 585) of Model Land Co., Subdivision of Section 24, Township 44 South, Range 42 East, as recorded in Plat Book 5, page 76. Said property located on the east side of Military Trail (S.R. 809), approximately 400 feet north of 10th Avenue North in a CG-General Commercial District, in part, and an RM-Residential Multiple Family District (Medium Density), in part, was approved as advertised subject to the following conditions:

1. Petitioner shall convey to Palm Beach County sixty (60) feet from centerline for the ultimate right-of-way for Military Trail.
2. Petitioner shall reserve additional 16 feet right-of-way on Military Trail for special intersection at Military Trail and 10th Avenue North.
3. Petitioner shall not be allowed a median opening on Military Trail.
4. Petitioner shall contribute Five Hundred Sixty-three Dollars (\$563.00) toward the cost of meeting this project's direct and identifiable traffic impact to be paid at the time of issuance of the paving permit. (945 total trips x \$12.50 per trip).
5. All landscaping shall be installed as shown on site plan submitted prior to the issuance of a Certificate of Occupancy.
6. The area shown as vacant field on the submitted site plan shall not be utilized as vehicle storage.
7. No major repairs shall be allowed on the site.
8. The subject site is limited to no more than twenty-seven (27) display vehicles.
9. The gate entrance display areas shall be kept closed, except when moving display vehicles in/out.
10. The customer parking area shall meet the approval of the Site Plan Review Committee.

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

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

The foregoing resolution was declared duly passed and adopted
this 20th day of January, 1981, confirming action of
18 December 1980.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *[Signature]*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

Charles F. Schmitt
County Attorney

