

RESOLUTION NO. R-81-212

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. 81-4 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 29 January 1981; 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 be in harmony and compatible with the present and future development of the area concerned
2. The proposal would be consistent with the needs of the County for land areas for specific purposes to serve population and economic activities

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 29th day of **January, 1981**, that Petition No. 81-4 the petition of JOHN V. RAIS for a SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on Tract No. 109, Model Land Company's

Subdivision of Section 20, Township 44 South, Range 43 East, as recorded in Plat Book 5, page 79; EXCEPT land conveyed to Lake Worth Drainage District in Official Record Book 38, page 667, and land conveyed to State of Florida in Official Record Book 236, page 219, and the West 1/2 of Tract 110 of Model Land Company's Subdivision of Section 20, Township 44 South, Range 43 East, as recorded in Plat Book 5, page 79, LESS; that portion of said Tract which lies within 40 feet of the South line of Section 20, Township 44 South, Range 43 East, Said property located on the north side of Lucerne Avenue and on the south side of 2nd Avenue North in an RH-Residential Multiple Family District (High 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. Thirty (30) feet from centerline for the right-of-way for 2nd Avenue North.
 - b. Fifty-four (54) feet from centerline for the ultimate right-of-way for Lake Worth Road.
2. Petitioner shall construct at the project's entrance and Lake Worth Road:
 - a. left turn lane, east approach
 - b. right turn lane, west approach
 - c. one lane entering and two lanes exiting
3. Petitioner shall contribute Nineteen Thousand Six Hundred Dollars (\$19,600.00) 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. The petitioner will take necessary precautions to prevent run-off of pollutants from this project to nearby surface waters.
5. The developer will take reasonable precautions during the development of this project to insure that fugitive particulates (dust particles) from the project do not become a nuisance to neighboring properties.
6. Petitioner shall construct a pedestrian walkway signal for access to John Prince Park for crossing Lake Worth Road, as warranted by the County Engineer.

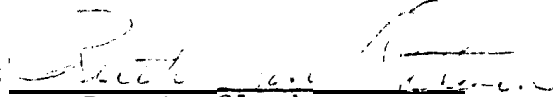
Commissioner Koehler , moved for approval of the petition.
The motion was seconded by Commissioner Gregory , and upon being
put to a vote, the vote was as follows:

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

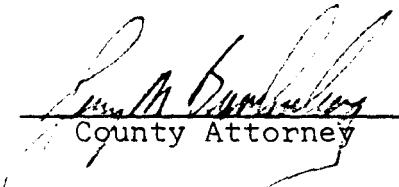
The foregoing resolution was declared duly passed and adopted
this 24th day of February, 1981 , confirming action of
29 January 1981.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: 
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney