

RESOLUTION NO. R- 81-583

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. 81-34 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23 April 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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this **12th** day of May, 1981, that Petition No. 81-34 the petition of CONRAD SCHAEFER for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT, INCLUDING A MOTEL, FINANCIAL INSTITUTION WITH MORE THAN FOUR (4) DRIVE-UP TELLER WINDOWS AND A LARGE SCALE COMMUNITY SHOPPING CENTER IN EXCESS OF 50,000 SQUARE FEET OF TOTAL FLOOR AREA on a parcel of land more particularly described

as follows: Beginning at the Southeast corner of Section 25, Township 42 South, Range 42 East, thence North $01^{\circ}34'06''$ East a distance of 1325.75 feet to a point in the centerline of Blue Heron Boulevard as now laid out and in use; thence North $88^{\circ}11'58''$ West along said centerline a distance of 656.28 feet to a point; thence North $01^{\circ}48'41''$ East a distance of 101.28 feet to a point; thence North $88^{\circ}11'19''$ West a distance of 200.00 feet to the True Point of Beginning; thence continue North $88^{\circ}11'19''$ West a distance of 400.00 feet to a point; thence North $01^{\circ}48'41''$ East a distance of 600.00 feet to a point; thence South $88^{\circ}11'19''$ East a distance of 975.32 feet to a point; thence South $13^{\circ}09'24''$ West a distance of 509.96 feet to a point; thence South $62^{\circ}03'59''$ West a distance of 201.56 feet to a point; thence North $88^{\circ}11'19''$ West a distance of 82.00 feet to a point; thence North $01^{\circ}48'41''$ East a distance of 200.00 feet to a point; thence North $88^{\circ}11'19''$ West a distance of 218.00 feet to a point; thence South $01^{\circ}48'41''$ West a distance of 200.00 feet to the True Point of Beginning. Said property located at the northwest corner of the intersection of Blue Heron Boulevard and I-95 (S.R. g), was approved as advertised, subject to the following conditions:

1. Petitioner shall modify the project's east entrance per the County Engineer's approval to permit only right turns in and right turns out.
2. Petitioner shall close the existing median opening on Blue Heron Blvd. 950' west of the centerline of I-95.
3. Petitioner shall only be permitted one median opening to be aligned with the project's west entrance onto Blue Heron Blvd.
4. Petitioner shall construct at the project's west entrance and Blue Heron Blvd:
 - a. left turn lane, west approach
 - b. right turn lane, east approach
 - c. one lane entering, two lanes exiting
5. Petitioner shall provide a site plan acceptable to the County Engineer's office to provide for a minimum of 100' stacking distance for the bank's drive-in teller windows.
6. Petitioner shall contribute One Hundred Twenty-one Thousand One Hundred Twenty-five Dollars (\$121,125.00) 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).

7. The developer will take necessary precautions to insure that pollutants from this project will not run-off into adjacent or nearby surface waters.

8. 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,

9. The petitioner shall preserve as many existing trees, as possible and shall seek a variance to permit a reduction in parking space dimensions in order to provide more open space,

10. Loading areas shall be designated and provided with solid buffering from abutting residential areas at the time of Site Plan Review.

11. Air conditioning equipment and exhaust fans shall be roof mounted and screened to provide additional protection to abutting residences.

Commissioner **Evatt** , moved for approval of the petition.

The motion was seconded by Commissioner **Koehler** , and upon being put to a vote, the vote was as follows:

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

The foregoing resolution was declared duly passed and adopted this **12th** day of **May, 1981** , confirming action of **23 April 1981.**

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk,

By: *Ruth Ann Otten*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

Samuel B. ...
County Attorney

