

RESOLUTION NO. R- 81-592

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. 81-58 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. 81-58 the petition of MITCHELL HOMES, AN ALABAMA PARTNERSHIP, by Henry Skokowski, Agent, for the FURTHER SPECIAL EXCEPTION TO ALLOW THE EXPANSION OF A LARGE SCALE COMMUNITY SHOPPING CENTER PREVIOUSLY APPROVED UNDER PETITION NO. 79-285 on the West 1/2 of the Southwest 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 14, Township

46 South, Range 42 East. Said property located on the north side of West Atlantic Avenue (S.R. 806), approximately .2 mile west of Military Trail (S.R. 809), 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 60' from centerline for the ultimate right-of-way for Delray West Road.
2. Petitioner shall be permitted one median opening to align with Petition 80-181.
3. Petitioner shall contribute Seven Thousand Four Hundred Thirty-eight Dollars (\$7,438.00) 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 developer will take necessary precautions to insure that pollutants from this project will not run-off into adjacent or 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. Access to the landlocked AG parcel abutting this properties shall be guaranteed through a recorded legal instrument prior to site plan approval.
7. Petitioner shall construct a 6 ft. fence along the north property line of the subject parcel and the west property line of the existing Federal Plaza,
8. Petitioner shall make every effort to preserve **existing** vegetation on the site,

Commissioner Gregory , moved for approval of the petition.

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

|                                 |        |
|---------------------------------|--------|
| Frank Foster, Chairman          | AYE    |
| Norman Gregory, Vice Chairman - | AYE    |
| Bill Bailey, Member             | ABSENT |
| Dennis Koehler, Member          | ABSENT |
| 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: *John B. Dunkle*  
Deputy Clerk

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

*John B. Dunkle*  
County Attorney

