

RESOLUTION NO. R-81-1039

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. 81-79 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23 July 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 23 day of July 1981, that Petition No. 81-79 the petition of IRVING E. and SELMA G. SHORE, EUGENE J. and SHIRLEY SABEL, HENRY C. and GAIL M. HOLLE, WILLIAM and CLARA M. GRAFF by Irving E. Shore, Agent, for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED OFFICE BUSINESS PARK of the Southeast 1/4 of the Southeast 1/4 of the Northeast 1/4 and the East 1/2 of the Southwest 1/4 of the

Southeast 1/4 of the Northeast 1/4: less the East 50 feet road **right-** of-way in Section 14, Township 46 South, Range 42 East. Said property located on the west side of Military Trail (S.R. 809), being bounded on the south by L.W.D.D. Lateral Canal No. 33, approximately .2 mile north of Delray West Road (S.R. 806), 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 Military Trail.
2. Petitioner shall align the project's entrance with the Shoppes of Delray.
3. Petitioner shall construct at the project's entrance and Military Trail, prior to the issuance of a Certificate of Occupancy, a left turn lane, south approach.
4. Petitioner shall contribute Two Hundred and Fifty Dollars (\$250) per one thousand (1000) square feet of floor area toward the cost of meeting this project's direct and identifiable traffic impact to be paid at the time of issuance of building permit(s).
5. The developer will take reasonable precautions during the development of this project to insure that fugitive **particulates** (dust particles) from this project do not become a nuisance to neighboring properties.
6. The developer will take necessary precautions to insure there will be no pollutant run-off from this project to adjacent **or** nearby surface waters.
7. The project shall be phased so that no more than 50,000 sq. ft. shall be constructed prior to the **four-laning** of Military Trail between Lake Ida Road and the HighPoint PUD entrance.

Commissioner **Koehler** , 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:

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

The foregoing resolution was declared duly passed and adopted
this 25 day of August 1981, confirming action of
23 July 1981.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Keith Van Otteren*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John B. Dunkle
County Attorney

