

RESOLUTION NO. R-81-1059

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. 81-124 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. 81-124 the petition of GERALD WOCHNA by Robert C. Currie, Agent, for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED OFFICE BUSINESS PARK, INCLUDING A FINANCIAL INSTITUTION AND AN ON-SITE SEWAGE TREATMENT PLANT on the South  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of Section 6, Township 47 South, Range 43 East, less and except the West  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  and less and except the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ , also less and

except the right-of-way of the Seaboard Air Line Railroad and Yamato Road. Said property located on the west side of Seaboard Air Line Railroad and on the north side of Yamato Road, was approved as advertised subject to the following conditions:

1. Petitioner shall confirm legal access to the subject parcel prior to site plan approval.
2. Petitioner shall construct at the project's proposed entrance road and Congress Avenue prior to the issuance of a Certificate of Occupancy:
  - a. left turn lane north approach
  - b. right turn lane south approach
  - c. signalization when warranted as determined by the County Engineer
3. Petitioner shall contribute the pro rata cost of the signalization of Congress Avenue and this project's proposed entrance road if warranted as determined by the County Engineer, but shall be no later than five years after the issuance of a Certificate of Occupancy.
4. Petitioner shall contribute Thirty-one Thousand Five Hundred Dollars (**\$31,500.00**) 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).
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 on-site sewage treatment plant is authorized as a temporary facility only. The development shall be required to tie into community facilities when capacity becomes available.

Commissioner **Gregory** , 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	- <b>Aye</b>
Bill Bailey, Member	- <b>Aye</b>
Dennis Koehler, Member	- Absent
Peggy B. Evatt, Member	- Absent

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: *John B. Dunkle*  
Deputy Clerk

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

*John B. Dunkle*  
County Attorney

