

RESOLUTION NO. R- 81-1205

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 40 2.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 81-97 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 27 August 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 27th day of August, 1981, that Petition No. 81-97 the petition of JACK E. COOK and WILLIE H. DAY by Alan J. Ciklin, Attorney, for the REZONING+ FROM AG-AGRICULTURAL DISTRICT TO IL-LIGHT INDUSTRIAL DISTRICT on a portion of the West 1/2 of Tract 24, Block 1, of the Palm Beach Farms Co. Plat 9, in Section 28, Township 43 South, Range 42 East, as recorded in Plat Book 5, page 58, being

particularly described as follows: Begin at the Southwest corner of Tract 24; thence Northerly along the Westerly boundary of said Tract 24, 482.62 feet; thence Easterly parallel with the **Southerly right-of-way** line of the Lake Worth Drainage District Canal No. L-1 as now established, 330.34 feet to the Easterly boundary line of the West 1/2 of said Tract 24; thence Southerly along the Easterly boundary of said West 1/2 of Tract 24; 469.54 feet to Southerly boundary line of said Tract 24; thence Westerly along said Southerly boundary of Tract 24, 330 feet to the Southwest corner of said Tract 24 and the Point of Beginning. Said property located on the north side of Dwight Road, approximately .1 mile east of Skees Road, was approved as amended per the petitioner's request for the REZONING, FROM AG-AGRICULTURAL DISTRICT TO CG-GENERAL COMMERCIAL DISTRICT AND A FURTHER SPECIAL EXCEPTION TO INCLUDE WHOLESALE BUILDING SUPPLIES, subject to the following conditions:

1. Tri-County Concrete will asphalt that area bordering **Elias** Oil from Skees Road to the existing fence lying to the east of Skees Road and then in an "L" shaped pattern to the south where employee parking will be located. Secondly, this turn-in to the project will be the only turn-in to Tri-County Concrete.
2. The petitioner shall continue the dust control procedures initiated under the Palm Beach County Health Department's guidance.
3. The petitioner shall deposit **\$4,000.00** into trust to be used by the Skees Road Beautification Trust for landscaping along westerly boundary line. The **\$4,000.00** will be released upon receipt of invoices for the landscaping program.
4. The storage yard shall be screened to the same height as the materials to be stored.
5. The special exception shall be valid for a period of 7 1/2 years at which time the Board of County Commission may consider an extension.
6. 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.
7. The developer will take necessary precautions to insure there will be no pollutant run-off from this project to adjacent or nearby surface waters.

Commissioner Bailey, 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:

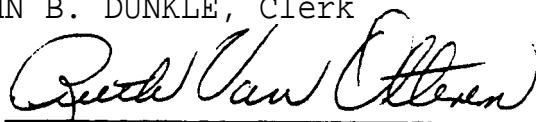
Frank Foster, Chairman		Aye
Norman Gregory, Vice Chairman	=	Aye
Bill Bailey, Member		Aye
Dennis Koehler, Member		Aye
Peggy B. Evatt, Member		Aye

The foregoing resolution was declared duly passed and adopted this 29th day of September, 1981, confirming action of 27 August 1981.

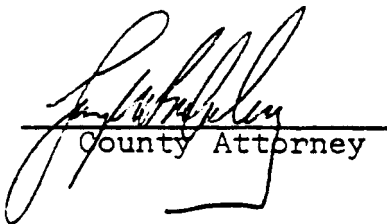
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By:


Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney

