

RESOLUTION NO. R- 83-219

RESOLUTION APPROVING ZONING PETITION 82-167, SPECIAL EXCEPTION TO AMEND SPECIAL EXCEPTION GRANTED UNDER PETITION NO. 80-181 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. 82-167 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24 November 1982; 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 24th day of November, 1982, that Petition No. 82-167 the petition of FLORIDA COAST OIL CO., INC., By Carol Thompson, Agent, for a SPECIAL EXCEPTION TO AMEND A PLANNED COMMERCIAL DEVELOPMENT PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 80-181 TO INCLUDE AN AUTOMOBILE LUBE FACILITY on the East 1/2 of the Northwest 1/4 of the Southeast 1/4 of the Southeast 1/4 of Section 14, Township 46 South, Range 42 East; Less the right-of-way for State Road No. 806 (West Atlantic Avenue) as shown in Road Plat Book 3, Page 26. Said property located on the South side of West Atlantic Avenue (S.R. 806), approximately .1 mile West of Military Trail (S.R. 809), in a CG-GENERAL COMMERCIAL DISTRICT, was approved as advertised subject to the following conditions:

1. The Developer shall construct at the project's entrance and Delray West Road:
 - a) right turn lane, west approach,
 - b) left turn lane, east approach, and
 - c) curbed median on Delray West Road, a distance of 50 feet west of the project's entrance, per the County Engineer's specifications.

These improvements shall be included in the application for the project's paving and drainage permit and shall be completed prior to the issuance of a Certificate of Occupancy.

2. The Developer shall construct an access road with twenty-four (24') feet of pavement to County Engineer's specifications within the ingress/egress easement to provide access to the properties to the south of the subject property. Plans for this improvement shall be included in the application for the project's paving and drainage permit and shall be completed prior to the issuance of a Certificate of Occupancy.
3. All landscaping shall be installed as shown on the approved site plan prior to the issuance of a Certificate of Occupancy.
4. Developer shall contribute the sum of Thirty Seven Thousand and Twenty Five Dollars (\$37,025.00) toward the cost of meeting this project's direct and identifiable traffic impact. This fee shall supercede Condition No. 4 imposed in Petition 80-181 and shall be prorated as follows:

Self Service Gas/Convenience Store	- \$12,113
General Commercial Use	- \$1.25 per square foot of building area
Office Use	- \$.23 per square foot of building area
Oil & Lube Facility	- \$1,825

Commissioner Koehler , moved for approval of the petition.

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

Peggy B. Evatt, Acting Chairman	-	Aye
Ken Spillias, Member	-	Aye
Dennis P. Koehler, Member	-	Aye
Dorothy Wilken, Member	-	Aye
Bill Bailey, Member	-	Absent

The foregoing resolution was declared duly passed and adopted this 8th , day of February , 1983 , confirming action of 24 November 1982.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

BY: Antonia B. Meddison
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John Cantello
County Attorney

