

RESOLUTION NO. R-82-141

RESOLUTION APPROVING ZONING PETITION 81-224, Rezoning &
Special Exception

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. 81-224 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23 December 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 23rd day of December, 1981, that Petition No. 81-224 the petition of BOYNTON BEACH DEVELOPMENT CORPORATION by Ray Liberti, Agent, for the REZONING, FROM AG-AGRICULTURAL DISTRICT TO CS-SPECIALIZED COMMERCIAL DISTRICT of a parcel of land being all that part of the South 310 feet of the East 1/2 of the Southeast 1/4

of the Northeast 1/4 of the Northeast 1/4 of Section 25, Township 46 South, Range 41 East, lying West of the West right-of-way line of State Road 199 (S.R. 7). Said property located on the west side of S.R. 7 (U.S. 441) and being bounded on the north by L.W.D.D. Lateral Canal L-36 1/2 W, was approved as amended per the petitioner's request to INCLUDE A SPECIAL EXCEPTION TO ALLOW A PLANNED OFFICE BUSINESS PARK, subject to the following conditions:

Petitioner shall:

1. (a) Convey to Palm Beach County within ninety (90) days of Special Exception approval 240 feet from the base line of survey according to R.B. 1, page 38, for the ultimate right of way for S.R. 7. **or,**

(b) Apply to Board of Adjustment for a variance approval relative to the building setbacks; if approved within ninety (90) days of Special Exception approval, condition #1(a) shall be modified to read:

'Reserve for Palm Beach County 240 feet from the base line of the survey according to R.B. 1, page 38, for the ultimate right of way for S.R. 7. This right of way shall be conveyed at no cost to the County or State Department of Transportation at the time of acquisition of S.R. 7 right of way., and Petitioner assumes all risk of loss for structures placed therein, including costs of demolition or removal.'

2. Petitioner shall construct at the intersection of S.R. 7 and the project's entrance road prior to the issuance of a Certificate of Occupancy:
 - a. left turn lane, south approach
 - b. right turn lane, north approach
3. Petitioner shall contribute Three Thousand Nine Hundred and Sixty-two Dollars (\$3,962.00) toward the cost of meeting this project's direct and identifiable traffic impact to be paid on a pro-rata basis at the time of issuance of the building permit(s).

Commissioner Koehler, 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	Yes
Norman Gregory, Vice Chairman -	Absent
Bill Bailey, Member	Yes
Dennis Koehler, Member	Yes
Peggy B. Evatt, Member	Yes

The foregoing resolution was declared duly passed and adopted
this 9th day of February, 1982, confirming action of
23 December 1981.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk .

By: *Scott ...*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
County Attorney

