

RESOLUTION NO. R- 82-144

RESOLUTION APPROVING ZONING PETITION 81-227, 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. 81-227 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 **23d** day of December, 1981, that Petition No. 81-227 the petition of DELRAY LAND DEVELOPERS, INC., A FLORIDA CORPORATION by Robert G. Currie, Agent, for the REZONING, FROM AG-AGRICULTURAL DISTRICT TO CS-SPECIALIZED COMMERCIAL DISTRICT of the West 230 feet of the West 1/2 of the Northeast 1/4 of the Southwest

1/4 of Section 13, Township 46 South, Range 42 East. Said property located on the north side of West Atlantic Avenue (S.R. 806), approximately .2 mile east of Military Trail (S.R. 809), 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:

1. Petitioner shall convey to Palm Beach County within ninety (90) days of Special Exception approval, sixty (60) feet from centerline for the ultimate right of way for Delray West Road.
2. Petitioner shall not be permitted a median opening on Delray West Road.
3. Petitioner shall construct a left turn lane, west approach, on Delray West Road at its intersection with the entrance to the Delray Medical Center prior to the issuance of a Certificate of Occupancy.
4. Petitioner shall construct a right turn lane, east approach, on Delray West Road at the project's entrance road prior to the issuance of a Certificate of Occupancy.
5. Petitioner shall contribute Sixteen Thousand Three Hundred and Fifty Dollars (\$16,350.00) toward the cost of meeting this project's direct and identifiable traffic, to be paid on a pro-rata basis at the time of issuance of the building permit(s).
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.
8. The Lake Worth Drainage District will require an easement over the North 60.00 feet of the West 230 feet of the West 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section 13, Township 46 South, Range 42 East for the right of way for Lateral Canal No. 33.

Commissioner Bailey, 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 Lee*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

Cliff H. Maul
County Attorney

