

RESOLUTION NO. R- 82-334

RESOLUTION APPROVING ZONING PETITION 82-5, **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. 82-5 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28 January 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 28th day of January, 1982, that Petition No. 82-5 the petition of HICKMAN and SONS, INC., by W.D. Galione, Agent, for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on the Northeast 1/4 of the Northeast 1/4 of the Southeast

1/4 of Section 23, Township 45 South, Range 42 East, less the East 50 feet thereof, Said property located on the west side of Military Trail (S.R. 809) and being bounded on the north by L.W.D.D. Lateral Canal #23, was approved as advertised subject to the following conditions:

1. Petitioner shall convey to Palm Beach County within ninety (90) days of Special Exception approval, 60 ft. from centerline for the ultimate right-of-way for Military Trail.
2. Petitioner shall construct at the project's entrance road and Military Trail prior to the issuance of a Certificate of Occupancy a left turn lane, south approach, and a right turn lane, north approach.
3. Petitioner shall contribute Fifteen Thousand Four Hundred Dollars (\$15,400.00) 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 the filing of each plat.
4. The petitioner shall 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.
5. The petitioner shall take necessary precautions to insure there **will be** no pollutant run-off from this project to **adjacent** or nearby surface waters.
6. Petitioner shall specify on master plan, one and two story units and areas of significant vegetation.
7. Clear-corner visibility shall be maintained at all interior intersections.
8. Pedestrian walkways shall be provided between recreational areas.
9. As required by the Lake Worth Drainage District, the petitioner shall convey by easement or quit claim deed acceptable to the District, the North 65.00 feet of the NE 1/4 of the NE 1/4 of the SE 1/4 of Section 23, Township 45 South, Range 42 East, LESS the E 50 feet thereof for the right-of-way for Lateral Canal No. 23.

Commissioner **Koehler** , 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:

Norman Gregory, Chairman  
Peggy Evatt, Vice Chairman  
Bill Bailey, Member  
Dennis Koehler, Member  
Frank Foster, Member

AYE  
ABSENT  
AYE  
AYE  
ABSENT

The foregoing resolution was declared duly passed and adopted  
this 30th day of March, 1982, confirming action of  
28 January 1982.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Ruth Ann O'Brien*  
Deputy Clerk

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

*John Butlett*  
County Attorney

