

RESOLUTION NO. R- 82-630

RESOLUTION APPROVING ZONING PETITION 82-12, Special **Exceptio**

'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. **82-12** was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 29 April 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

WHEREAS, the petitioner requested that Petition **82-12** be amended for a **SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT**, and **such request** was granted.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this **29th** day of April., **1982**, that Petition No. 82-12 the petition of **DELRAY LAND COMPANY** by Lawrence Kramer, Agent, for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT on Lots 6 through 22, inclusive, Block 28, less the West 38 feet of Lots 6 through 10, inclusive, Block 28, and together with that portion of the abandoned alley right-of-way lying adjacent thereto which was abandoned by Official Record Book 635, page 587, Del **Raton** Park, in Section 28, Township 46 South, Range 43 East, together with a portion of the alley right-of-way in Block 28, Del **Raton** Park, as recorded in Plat Book 14 at page 10, and a portion of the **right-of-way** for Avenue '**J**' lying adjacent to said Block 28, being more particularly described as follows: Begin at the Northeast corner of Lot 22 of said Block 28; thence Southerly, along the East line of said Lot 22, 125.00 feet; thence Westerly, along the South line of Lots 22 through 17 inclusive, 160.49 feet; thence continue Westerly, along the South **line** of Lots 16 through 10, inclusive, 247.49 feet to the East right-of-way line of U.S. Highway No. 1; thence Southerly, along-said East right-of-way line, 25.00 feet to the centerline of said Avenue '**J**'; thence Easterly, along said centerline, 249.92 feet; thence continue Easterly, along the centerline of Avenue '**J**', 167.92 feet to the Southerly intersection of the centerline of a 10 foot alley right-of-way; thence Northerly, along said centerline, 150.00 feet to the Easterly extension of the North line of said Lot 22; thence Westerly, along said Easterly extension 5.00 feet to the Point of Beginning aforescribed. Said property located on the northeast corner of the intersection of U.S. Highway No. 1 and Avenue '**J**', was approved as amended subject to the following conditions:

1. The developer shall construct prior to the issuance of a Certificate of Occupancy non-mountable curb on U.S. 1 on both sides of the median a distance of 50 ft. north and south of the project's entrance.
2. The developer shall not be permitted a median opening on U.S. 1.
3. The developer shall contribute Five Thousand Two Thousand and Twenty-five Dollars (**\$5,225.00**) 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).
4. The developer shall provide for a berm opaque plantings totalling 6 feet in height or a 6 foot wall to screen parking from view from nearby residential areas, as substitution for the standard landscape strip.
5. Petitioner shall amend the site plan to provide for off street loading as required by the Zoning Code.
6. Back up areas shall be 25 ft. in width, rather than 24 ft. as shown.

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

The foregoing resolution was declared duly passed and adopted this **29th** day of June , confirming action of 29 April 1982.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Rebecca Ann Ottum*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John Bratt
/County Attorney

