

RESOLUTION NO. R-83-68

RESOLUTION APPROVING ZONING PETITION 82-97, 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. 82-97 was presented to the Board, of County Commissioners of Palm Beach County at its public hearing conducted on 29 July 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 29th day of July, 1982, that Petition No. 82-97 the petition of GULF OIL CORPORATION by Alan J. Ciklin, Attorney, for a SPECIAL EXCEPTION TO ALLOW AN AUTOMOBILE SERVICE STATION AND CAR WASH on a parcel of land lying and being in the Northeast 1/4 of Section 36, Township 11 South, Range 41 East, and being more particularly described as follows: Commence at the intersection of the existing Westerly right-of-way line of State Road No. 7 (U.S. 441) and the Northerly right-of-way line of the Hillsboro Canal; thence North 01°02'19" West along said Westerly right-of-way line of S.R. 7 a distance-of 820.00 feet to the Point of Beginning; thence South 88°57'41" West a distance of 400.00 feet to a point lying on a line 400.00 feet West, as measured at right angles, and parallel with said

Westerly right-of-way line of S.R. 7; thence North 01°02'19" West along said parallel line a distance of 180.00 feet; thence North 88°57'41" East a distance of 400.00 feet to a point lying on said Westerly right-of-way line of S.R. 7; thence South 01°02'19" East along said Westerly right-of-way line a distance of 180.00 feet to the Point of Beginning, less the East 57.00 feet thereof for additional roadway dedication. Said property located on the west side of U.S. 441 (S.R. 7), approximately .2 mile south of 230th Street South in a CG-General Commercial District, was approved as advertised subject to the following special conditions:

1. Petitioner shall retain onsite 85% of the stormwater runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.
2. Within ninety (90) days of approval the ultimate right-of-way line of S.R. 7, 181.22 feet west of the range line, shall be conveyed to Palm Beach County.
3. Prior to Site Plan Certification 40 feet abutting the, ultimate right-of-way line of S, R, 7 shall be reserved as an access easement for the property to the south of this subject property.
4. The construction of a right turn lane, north approach of S.R. 7 at the project's entrance road will be required prior to the issuance of a Certificate of Occupancy.
5. The petitioner shall make a contribution of Eleven Thousand Two Hundred and Fifty Dollars (\$11,250.00) toward the cost of meeting this project's direct and identifiable traffic impact, to be paid at the time of issuance of the Building Permit.

Commissioner Evatt, moved for approval of the petition.

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

Norman Gregory, Chairman	-	Aye
Peggy Evatt, Vice Chairman	-	Aye
Bill Bailey, Member	-	Absent
Dennis Koehler, Member	-	Aye
Frank Foster, Member		Abstained

The foregoing resolution was declared duly passed and adopted this 18th day of January, 1983, confirming action of 29 July 1982.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: John B. Dunkle
 Deputy Clerk



APPROVE AS TO FORM
 AND LEGAL SUFFICIENCY

John Coletta
 Attorney