

RESOLUTION NO. R-83-135

RESOLUTION APPROVING ZONING PETITION 82-127, 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. 82-127 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23 September 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 23rd day of September, 1982, that Petition No. 82-127 the petition of HARRY S. HAMILTON, TRUSTEE, by R. Granville Webb, Agent, for a SPECIAL EXCEPTION TO ALLOW A COMMERCIAL, NEW AND USED, TRUCK SALES AND RENTAL AND REPAIR FACILITY AND LOT on Lot 1, less the East 3.0 feet and the West 75 feet, Holt Estate, in Section 12, Township 44 South, Range 42 East, as **recorded** in Plat Book 21, Page 31. Said property located on the northwest corner of the intersection of Military Trail (S.R.809) and **Holt** Road in a CG-General Commercial District, was approved as advertised subject to the following conditions:

1. Developer shall provide a perimeter access for one-way traffic, with a fifteen (15) foot width.
2. A six (6) ft. wall shall be extended along the southern property line to the westernmost boundary of the CG zoning district.
3. Screening of at least seventy-five (75) percent opaqueness shall be required to protect neighboring property to the west and southwest.
4. Repair work shall be limited to Monday through Friday with hours of 8:00 a.m. to 5:00 p.m. only.
5. Within ninety (90) days of approval the ultimate right of way for Military Trail, 60 feet from centerline, shall be conveyed to Palm Beach County. (Approximately an additional seven (7) feet of right of way.)
6. Developer shall contribute the sum of Five Hundred and Sixty Three Dollars (\$563.00) 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.
7. Developer shall reconstruct Holt Road to provide for 20 foot of pavement width from Military Trail west to the project's west property line, prior to the issuance of a Certificate of Occupancy.

Commissioner Koehler, moved for approval of the petition.

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

Bill Bailey, Chairman	Absent
Dennis Koehler, Vice Chairman	Aye
Peggy B. Evatt, Member	Aye
Frank H. Foster, Member	Aye
Norman R. Gregory, Member	Aye

The foregoing resolution was declared duly passed and adopted this 25th day of January, 1983, confirming action of 23 September 1982.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: Grace W. Lewis
 Deputy Clerk



APPROVE AS TO FORM
 AND LEGAL SUFFICIENCY

John Colett
 County Attorney