

RESOLUTION NO. R- 83-204

RESOLUTION APPROVING ZONING PETITION 82-152, 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. 82-152 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28 October 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 October, 1982, that Petition No. 82-152 the petition of WILLIAM A. JOHNSON, DANIEL L. BAKST AND WALLACE B. MC CALL, By Daniel L. Bakst, Attorney, for a SPECIAL EXCEPTION TO ALLOW AN OFFICE-WAREHOUSE COMBINATION, INCLUDING A RECREATION VEHICLE STORAGE FACILITY on Lots 38 to 49, inclusive, less the West 25 feet thereof, Military Park, Halls Addition, in Section 24, Township 43 South, Range 42 East, as recorded in Plat Book 12, Page 44, together with Cecil Avenue (now vacated) as shown on the Plat of Military Park, Halls Addition,, as recorded in Plat Book 12, Page 44, Less that part of Cecil Avenue lying within 53 feet of the base line survey of State Road 809; together with; the North 170 feet of the Southwest 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 24, Township 43 South, Range 42 East, Less the West 50 feet

thereof. Said property located on the east side of Military Trail (S.R. 809), approximately .3 mile north of Okeechobee Road (S.R. 704) in a CG-General Commercial District, was approved as advertised subject to the following conditions:

1. The Developer 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.
2. The Developer shall take reasonable precaution to insure that run-off from this project will not pollute adjacent or nearby surface waters.
3. 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.
4. 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 6 feet of right of way.)
5. Developer shall contribute the sum of Two Thousand Two Hundred and Twenty Five Dollars (\$2,225.00) toward the cost of meeting this project's direct and identifiable traffic impact, to be paid at the rate of \$.12 per square foot at the time of issuance of the building permit(s).
6. Developer shall preserve significant vegetation wherever possible.
7. Developer shall clarify the access to Hall Avenue prior to site plan approval.

Commissioner Bailey, 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:

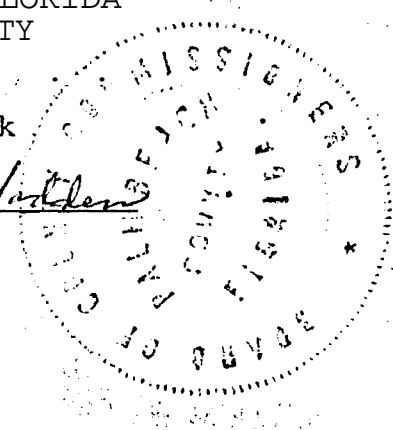
Bill Bailey, Member	Aye
Dennis Koehler, Member	Aye
Peggy B. Evatt, Vice Chairman -	Absent
Frank H. Foster, Member	Aye
Norman R. Gregory, Chairman -	Absent

The foregoing resolution was declared duly passed and adopted this 8th day of February, 1983, confirming action of 28 October 1982.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: Betrande B. Witten
Deputy Clerk



APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John Cabell
County Attorney