

RESOLUTION NO. R-83-211

RESOLUTION APPROVING ZONING PETITION 82-114, 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. 82-114 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24 November 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 the petition be amended to include the FURTHER SPECIAL EXCEPTION FOR A PLANNED INDUSTRIAL DEVELOPMENT, which request this Board granted.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 24th day of November, 1982, that Petition No. 82-114; the petition of F.J. & RUTH R. DOLLY By D. Richard Holmes, Attorney, for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED INDUSTRIAL DEVELOPMENT of Tracts 64, 65, 82 and 830f Model Land Company's Subdivision in Section 20, Township 44 South, Range re East, as recorded in Plat Book 5, Page 79. Said property located on the north side of 4th Avenue North, approximately .1 mile west of Boutwell Road, was approved as amended subject to the following conditions:

1. The property owner shall convey to Palm Beach County an additional twenty (20) feet of right-of-way for both Seventh Avenue North and Fourth Avenue North within ninety days of this approval.
2. The Developer shall construct, to County Engineer's specifications a right-turn lane, south approach on Boutwell Road at 10th Avenue North. Plans for this improvement shall be included in the application for the project's paving and drainage permit and shall be completed prior to the issuance of a Certificate of Occupancy.

3. The Developer shall construct to County Engineer's specifications, Fourth Avenue North from Boutwell Road, west to the subject property's west property line. Plans for this improvement shall be included in the application for the project's paving and drainage permit and shall be completed prior to the issuance of any Certificate of Occupancy.
4. The property owner shall comply with the Palm Beach County Subdivision and Platting Ordinance #73-4, prior to the issuance of any building permits.
5. The Developer shall take reasonable precautions during the development of this property to insure that fugitive particulates (dust particles) from the project do not become a nuisance to neighboring properties.
6. The Developer shall take necessary measures during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters.
7. The Developer shall obtain Site Plan approval for the proposed development prior to applying for any building permits.
8. The Developer shall contribute the sum of \$62.00 per 1,000 sq. ft. of building area for warehouse use and \$75.00 per 1,000 sq. ft. of building area for general industrial use 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 Koehler, moved for approval of the petition.

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

Peggy B. Evatt, Acting Chairman	- Aye
Ken Spillias, Member	- Aye
Dennis P. Koehler, Member	- Aye
Dorothy Wilken, Member	- Aye
Bill Bailey, Member	- Absent

The foregoing resolution was declared duly passed and adopted this 8th day of February, 1983, confirming action of 24 November 1982.

PALM BEACH COUNTY, FLORIDA  
 BY ITS BOARD OF COUNTY  
 COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: Betrande B. Madala  
 Deputy Clerk

APPROVE AS TO FORM  
 AND LEGAL SUFFICIENCY

John G. Galt  
 County Attorney