

RESOLUTION NO. R- 83-1079

RESOLUTION APPROVING **ZONING** PETITION 83-85, 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. 83-85 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23rd June 1983; 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 petitioner amended his petition to a request for a Special Exception for a Planned Commercial Development; and

WHEREAS, the Board of County Commissioners made the following findings of fact;

1. The proposed rezoning to CG is permitted by the Comprehensive Plan and Zoning Code.
2. The accompanying Special Exception and Site Plan indicate that the proposed rezoning would be compatible with the adjacent residential areas and that provisions for access would not negatively impact Congress Avenue.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 23rd day June 1983, that Petition No. 83-85 the petition of KIEKAN J. KILDAY, for a SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT on Lots 25 and 26, less that part conveyed to the State of Florida in Official Record Book 373, Page 41.2, Bandlow Subdivision in Section 17, Township 44 South, Range 43 East, as recorded in Plat Book 21, Page 92. Said property located on the southeast corner of the intersection of Lorene Drive and Congress Avenue (S.R.807) was approved as amended subject to the following conditions:

1. This development must retain onsite 858 of the **stormwater** runoff generated by a three (3) year storm per requirements of the Permit Section, Land **Development** Division.
2. Access to the site shall be limited to Lorene Court.
3. The developer shall construct Lorene Court including both paving and drainage from Congress Avenue east to the project's east property line, concurrent with on-site paving and drainage improvements pursuant to a permit issued from the office of the County Engineer.
4. The developer shall pay \$1.25 per square foot of floor area to be paid at the time of issuance of building permits towards the cost of meeting this project's direct and identifiable traffic impact.

Commissioner **Bailey** , moved for approval of the petition. **The motion** was seconded by Commissioner **Wilken** , and upon being put to a vote, the vote was as follows:

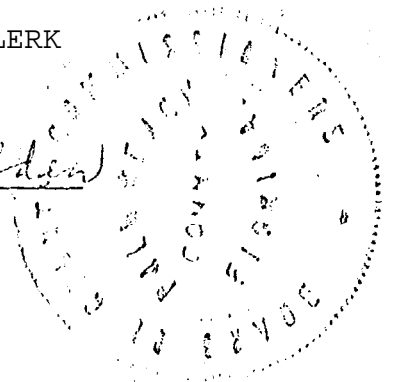
Peggy E. Evatt, Chairman	-- AYE
Ken Spillias, Vice Chairman	-- ABSENT
Dennis P. Koehler, Member	-- ABSENT
Dorothy Wilken, Member	-- AYE
Bill Bailey, Member	-- AYE

The foregoing resolution was declared duly passed and adopted this SEP 13 1983 day of SEP 13 1983 , confirming action of 23rd June 1983.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Trudy Madden
Deputy Clerk



APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John B. Dinkler
County Attorney