

RESOLUTION NO. R- 87-199

RESOLUTION APPROVING ZONING PETITION 82-167(B), Special Exception

WHEREFIS, 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

WHERECIS, 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

WHEREQS, Petition No. 82-167(B) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on August 28, 1986 and

WHEREQS, 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

WHEREQS, the Board of County Commissioners made the following findings of fact:

1. With site plan modification, this proposal will be consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 10th day of February, 1987, that: Petition No. 82-167(B), the petition of WILLIAM T. ALLEN, SR., WILLIAM A. MEYER, and BOBBY L. MOORE and AML LTD., By Alan Ciklin, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A PLANNED COMMERCIAL DEVELOPMENT, INCLUDING A TIRE SERVICE CENTER, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 82-167(A), TO ALLOW A RECREATION FACILITY, AMUSEMENTS, ENTERTAINMENT EXHIBITS, PUBLIC AND PRIVATE

on the East 1/2 of the Northwest 1/4 of the Southeast 1//4 of the Southeast 1/4 of Section 14, Township 46 South, Range 42 East, less the Right-of-way for State Road No. 806 (West Rtlantic Avenue) as shown in Road Plat Book 3 at Page 26, and less the additional Right-of-way deeded to Palm Beach County by deed in Official Record Book 3557, Page 1881. Said property located on the south side of Atlantic Avenue (S.R. 806), approximately .1 mile west of Military Trail (S.R. 809) in an CG-General Commercial District was approved as advertised subject to the following conditions:

1. The developer shall comply with all previous conditions of approval unless modified herein.
2. The proposed additional use shall be limited to a bingo hall.
3. Hours of evening/nighttime operation shall be no later than 11:00 P.M. Hours of afternoon operation shall be between 12:00 P.M. and 4:00 P.M. There shall be no bingo operation before 12:00 P.M.
4. Bingo Hall operation shall be limited to six (6) days per week.
5. Bingo Hall operation shall be expressly limited to the non-profit use of the Jewish War Veterans of America. No commercial, for-profit operation shall be permitted on this site. The bingo hall shall be operated only by members of the Jewish War Veterans, and no outside paid professional staff shall be employed. In the event that the Jewish War Veterans discontinue bingo operations at this site, any rights to operate a bingo hall at this site shall not be assigned to any person or organization,
6. Any finding by court of competent jurisdiction that State bingo laws or regulations have been violated shall also be considered a violation of the Zoning Code of Palm Beach County, and shall be subject to all enforcement remedies granted to Palm Beach County.
7. The Jewish War Veterans shall employ off-duty police personnel to facilitate traffic both into and out of the proposed facility at the project's entrance to Delray West Road during hours of operation of the Bingo Games.
8. There shall be no separate free standing sign advertising bingo operations on site.

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

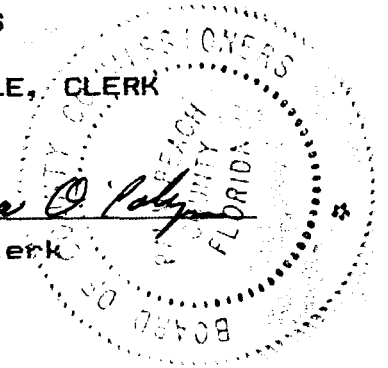
Karen T. Marcus	--	AYE
Jerry L. Owens	--	OPPOSED
Ken Spillias	--	AYE
Dorothy Wilken	--	OPPOSED
Kenneth M. Adams	--	AYE

The foregoing resolution was declared duly passed and adopted this 10th day of February, 1987 confirming action of August 28, 1986.

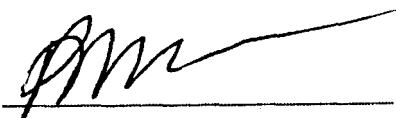
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara O. Polyp
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY



County Attorney