

RESOLUTION APPROVING ZONING PETITION

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. 76-120 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 26 August 1976.)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 26 day of August, 1976, that petition No. 76-120 the petition of ROBERT P. COSTIN ET AL, by James S. Vickers, Vice President of Ryerson E Haynes Realty, Inc., Agent, for the REZONING, FROM AG-AGRICULTURAL DISTRICT IN PART AND CG-GENERAL COMMERCIAL DISTRICT IN PART TO CG-GENERAL COMMERCIAL DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A LARGE SCALE COMMUNITY SHOPPING CENTER on the East 1/2 of the Southwest 1/4 of the Northeast 1/4 of the Southeast 1/4, less the West 20.0 feet thereof; together with the West 1/2 of the Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4, less the North 20.0 feet of the East 72.0 feet thereof; together with the East 1/2 of the Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4, less the North 20.0 feet thereof; all of the above lying and being in Section 14, Township 46 South, Range 42 East, and all being subject to the right-of-way of State Road No. 809 (Military Trail), the centerline of which is shown in Road Plat Book 2 on page

26; and being subject to the right-of-way of State Road No. 806 (West Atlantic Avenue) as shown in Road Plat Book 3 on page 26. Said property located at the northwest corner of the intersection of Military Trail (S.R. 809) and Atlantic Avenue (Delray West Road, S.R. 806), was approved as advertised subject to the following special conditions:

1. Prior to Site Plan approval the Petitioner shall convey to Palm Beach County, sixty (60) feet from centerline for the ultimate right-of-way for Military Trail (S.R. 809)
2. Prior to Site Plan approval the Petitioner shall convey to Palm Beach County, sixty (60) feet from centerline for the ultimate right-of-way for Delray West Road
3. Prior to Site Plan approval the Petitioner shall convey to Palm Beach County, twenty five (25) feet for a safe corner lot at the intersection of Military Trail (S.R. 809) and Delray West Road (S.R. 806)
4. Petitioner shall align development's north entrance road with the entrance road to Delray Square (75-99) and contribute to the cost of a traffic signal based on traffic volume
5. The development's west entrance shall be the main entrance and shall be located a minimum of 700 feet west of the centerline of Military Trail and provide the following turning lanes:
 - (a) A left turn lane at the west approach
 - (b) A two lane in and a two lane out entrance driveway
 - (c) A right turn lane at the east approach.
6. Petitioner shall install a traffic control signal at the intersection of the development's main entrance and Delray West Road when warranted as determined by the County Engineer
7. Petitioner shall construct at the intersection of Military Trail and Delray West Road:
 - (a) An extension of the existing left turn lane at the west approach
 - (b) A right turn lane at the west approach
 - (c) A left turn lane at the south approach.
8. The developer may construct a left turn lane at the development's east entrance and Delray West Road for the west approach. This turn lane shall be closed within ninety (90) days upon request of the County or the State due to traffic volume on Delray West Road, after 1980.
9. Storm drainage shall be approved by the Central and Southern Florida Flood Control District and the County Engineer prior to issuance of building permits and shall not cause a flood hazard to adjacent lands.
10. Petitioner shall obtain drainage easement from development to Lake Worth Drainage District Canal No. L-33 to provide legal positive drainage.

Commissioner Lytal, moved for approval of the petition.

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

E.W. Weaver	Yes
Lake Lytal	Yes
Robert F. Culpepper	Yes
Robert C. Johnson	Absent
William Medlen	Yes

The foregoing resolution was declared duly passed and adopted
this 14th day of September, 1976, confirming action
of 26 August 1976.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

W. W. Weaver
COUNTY ATTORNEY

By *John B. Dunkle*
Deputy Clerk

