

RESOLUTION NO. R- 1638

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. 79-236 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 25 October 1979; 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 will be in harmony and compatible with the present and future development of the area concerned
2. The proposal will not be disruptive to the character of the neighborhoods or adverse to playgrounds, parks, schools and recreation areas
3. The proposal will not be adverse to the promotion of the public health, safety, comfort, convenience, order, appearance, prosperity or general welfare

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 25th day of October, 1979, that Petition No. 79-236 the petition of FRANK W. MACEYKA for a SPECIAL EXCEPTION TO ALLOW THE EXPANSION OF AN EXISTING AUTOMOTIVE REPAIR FACILITY on the South 222.40 feet of the East 200.00 feet of the Southeast 1/4,

of the Southeast 1/4, of the Northwest 1/4 of Section 1, Township 44 South, Range 42 East, less the East 53 feet road right-of-way of Military Trail and less the South 50 feet for road right-of-way of Sunny Lane. Said property located on the west side of Military Trail (S.R. 809), approximately .2 mile south of Gun Club Road in a CG-General Commercial District, was approved as advertised subject to the following conditions:

1. Within ninety (90) days of Special Exception approval, petitioner shall convey to Palm Beach County sixty (60) feet from centerline for the ultimate right-of-way for Military Trail.
2. No direct access to Military Trail will be allowed.
3. Petitioner shall submit a comprehensive drainage report prior to Site Plan approval.
4. All landscaping shall be installed as shown on site plan submitted prior to the issuance of a Certificate of Occupancy.
5. Petitioner shall honor the parking arrangement as shown on site plan submitted.
6. All refuse and junk auto parts must be stored inside the building.
7. All parking and vehicular circulation shall be paved.
8. Petitioner must install a 6 ft. high masonry wall along the west property line.

Commissioner Evatt, moved for approval of the petition.

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

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

The foregoing resolution was declared duly passed and adopted this 27th day of November, 1979, confirming action of 25 October 1979.

PALM BEACH COUNTY, FLORIDA  
 BY ITS BOARD OF COUNTY  
 COMMISSIONERS

JOHN B. DUNKLE, Clerk—

By: *Ruth Van Otteren*  
 Deputy Clerk

APPROVE AS TO FORM  
 AND LEGAL SUFFICIENCY

*[Signature]*  
 County Attorney

