

RESOLUTION NO. R- 80-85

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. 79-277 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 27 December 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 would be in harmony and compatible with the present and future development of the area concerned
2. The proposal would conform to the character of the district and its peculiar suitability for particular uses
3. The proposal would be consistent with the needs of the County for land areas for specific purposes to serve population and economic activities

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 27th day of December, 1979, that Petition No. 79-277 the petition of OCEANSIDE RESORTS, INC., by John Potrekus, Agent, for a SPECIAL EXCEPTION TO ALLOW THE EXPANSION OF AN EXISTING MOTEL on a portion of New Palm Beach Heights, in Section 28,

Township 41 South, Range 43 East, a subdivision as same is recorded in Plat Book 6, page 73, more particularly described as follows: Beginning at the Northeast corner of Lot 1, Block 6, of said New Palm Beach Heights, run South 21°53'55" East, along the Easterly line of said Block 6, a distance of 74.67 feet to the intersection of said easterly line of Block 6 with the North-South Quarter Section Line of Section 28, Township 41 South, Range 43 East; thence run South 1°11'47" West, along said Quarter Section Line, a distance of 254.30 feet to a point on the South line of Lot 7, Block 6, New Palm Beach Heights; thence run North 87°25'15" West, a distance of 40.40 feet; thence run South 21°53'55" East, a distance of 100 feet; thence run North 87°25'15" West, a distance of 382.90 feet to the Easterly right-of-way line of State Road No. 5 (U.S. Highway No. 1); thence run North 14°53'05" West, along said Easterly right-of-way line, a distance of 234.25 feet; thence run South 87°25'15" East, a distance of 200.00 feet; thence North 14°53'05" West, a distance of 103.56 feet to the South line of Lot 18 on said map; thence South 87°25'15" East, 50.00 feet; thence North 14°53'05" West, 96.42 feet to the Southerly right-of-way line of Donald Ross Road; thence South 87°25'15" East along said right-of-way 224.67 feet to the POINT OF BEGINNING. Said property located on the south side of Donald Ross Road, approximately 250 feet east of U.S. No. 1 (S.R. 5) and on the east side of U.S. No. 1 (S.R. 5), approximately 200 feet south of Donald Ross Road in a CS-Specialized Commercial District, was approved as advertised subject to the following conditions:

1. Petitioner shall eliminate proposed southernmost access on U.S. 1.
2. Petitioner shall construct:
 - a. Left turn lane, north approach, on U.S. 1 at Floral Avenue.
 - b. Floral Avenue from U.S. 1 east a minimum distance of 150 ft.

3. Petitioner shall be allowed additional access to this site only from Floral Avenue.
4. Petitioner shall submit a drainage report prior to Site Plan approval.
5. Petitioner shall contribute Four Thousand Four Hundred Eighty-eight Dollars (\$4,488.00) toward the cost of meeting this project's direct and identifiable traffic impact, to be paid at the time of issuance of a building permit(s). The fee schedule for this project has been calculated as follows:

Hotel - \$187.00/Unit

However, regardless of the present or future status of this Ordinance, this development shall be required to provide the above Four Thousand Four Hundred Eighty-Eight Dollars toward alleviating some of its direct and identifiable traffic impact.

Commissioner Watt, moved for approval of the petition.

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

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

The foregoing resolution was declared duly passed and adopted this 15th day of January, 1980, confirming action of 27 December 1979.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Ruth Ann Ottewill*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
County -Attorney

