RESOLUTION NO. R- 80-93

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. 79-288 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 not be disruptive to the character of the neighborhoods or adverse to playgrounds, parks, schools and recreation areas
- 2. The proposal would be in harmony and compatible with the present and future development of the area concerned

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. 79-288 the petition of RUBIN CONSTRUCTION COMPANY, by William R. Boose, III, Attorney, for a SPECIAL EXCEPTION TO ALLOW A HELIPORT on the South 310 feef of the North 346 feet of the East 310 feet of the

West 410 feet of Tract 29, Block 7, Palm Beach Farms Company Plat No. 3, in Section 31, Township 43 South, Range 42 East, as recorded in Plat Book 2, page 46. Said property located on the south side of 5th Street North, approximately 600 feet west of Rubin Road (86th Terrace North) in an IL-Light Industrial District, was approved as advertised subject to the following conditions:

- 1. Petitioner shall contribute Fifty Dollars (\$50.00) 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 in accordance with Ordinance 79-7.
- 2. If possible, after due diligence by the petitioner (who does not own the subject property), the petitioner shall provide the North 14.00 feet of the South 310 feet of the North 346 feet of the East 310 feet of the West 410 feet of Tract 29, Block 7, Palm Beach Farms Company Plat No. 3 as recorded in Plat Book 2, page 46, for the required right-of-way for Lateral Canal No. 4. The Lake Worth Drainage District will accept a Quit Claim Deed or an Easement (on their form), whichever the owner prefers.

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

Dennis Koehler, Vice Chairman

Peggy B. Evatt, Member

Frank H. Foster, Member

Norman R. Gregory, Member

No

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

Deputy Clerk

APPROVE AS TO FORM AND LEGAL SUFFICIENCY

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County Attorney