

RESOLUTION NO. R- 80-377

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. 80-8 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28 February 1980; 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 be consistent with the needs of the County for land areas for specific purposes to serve population and economic activities
3. The proposal would not be disruptive to the character of the neighborhoods or adverse to playgrounds, parks, schools and recreation areas

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 28th day of February, 1980, that Petition No. 80-8 the petition of LIL GENERAL STORES, by J.L. Trull, President, for a SPECIAL EXCEPTION TO ALLOW A GASOLINE PUMP ISLAND on Lots 11 and 12, Meerdink's Little Ranches, in Section 30, Township 43

South, Range 43 East as recorded in Plat Book 4, page 50; less the East 15 feet thereof for right-of-way of Congress Avenue. Said property located on the northwest corner of the intersection of Westgate Avenue and Congress Avenue 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 Congress Avenue.
2. Within ninety (90) days of Special Exception approval, petitioner shall convey to Palm Beach County a 25 ft. safe corner at the intersection of Congress Avenue and Westgate Avenue.
3. Petitioner shall locate the access drive on Congress Avenue a centerline distance of 35 ft. from the north property line.
4. Petitioner shall locate the access drive on Westgate Avenue a centerline distance of 40 ft. from the west property line.
5. Petitioner shall contribute Twelve Thousand Nine Hundred Eighty-seven Dollars and Fifty Cents (\$12,987.50) for the cost of meeting this project's direct and identifiable traffic impact to be paid at the time of issuance of the building permit(s). This Fair Share Traffic Impact contribution has been determined in accordance with the provisions of Ordinance 73-7. However, regardless of the present or future status of this Ordinance, this development shall be required to provide the above Twelve Thousand Nine Hundred Eighty-seven Dollars and Fifty Cents (\$12,987.50) toward alleviating some of its direct and identifiable traffic impact.
6. The Lake Worth Drainage District will require the West 10 feet of Lots 11 and 12, Meerdink's Little Ranches, Plat Book 4, page 50, for the Required Right-of-Way of Equalizing Canal No. 3 1/2-8. We will accept a Quit Claim Deed or an Easement (on our form), whichever the owner prefers.
7. All landscaping shall be installed as shown on the site plan submitted prior to the issuance of a Certificate of Occupancy.

Commissioner Foster moved for approval of the petition.

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

Dennis Koehler, Chairman	-	Aye
Frank Foster, Vice Chairman	-	A y e
Bill Bailey, Member	-	Aye
Norman R. Gregory, Member	-	Absent
Peggy B. Evatt, Member	-	Aye

The foregoing resolution was declared ^{and} duly passed and adopted
 this 18th day of March, 1980, confirming action of
 28 February 1980.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *John B. Dunkle*
 Deputy Clerk

APPROVE- AS TO FORM
 AND LEGAL SUFFICIENCY

Charles H. [Signature]
 County Attorney

