

RESOLUTION No. R-80-672

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. 80-66 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24 April 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 conserve the value of buildings and encourage the most appropriate use of the land and water
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 24th day of April, 1980, that Petition No. 80-66 the petition of JOHN C. MILLS by Alan J. Ciklin, Attorney, for the FURTHER SPECIAL EXCEPTION TO ALLOW AN OFFICE/WAREHOUSE COMBINATION AND PRIVATE TENNIS COURT on the Southwest 1/4 of the Northwest 1/4 of the Southwest 1/4 of Section 1, Township 46 South, Range 42 East, LESS, however, the North 495.0 feet and the East 159.83 feet thereof, as measured at right angles to the boundary lines of the said Southwest 1/4 of the Northwest 1/4 of the Southwest 1/4 and less the right-of-way for Coconut Road and Military Trail (S.R. 809); TOGETHER WITH a part of the Southwest 1/4 of the Northwest 1/4 of the Southwest 1/4 of Section 1, Township 46 South, Range 42 East, more particularly described as the South 330 feet of the North 495 feet of said Southwest 1/4 of the Northwest 1/4 of the Southwest 1/4 of said Section 1, except that part lying in Military Trail (being State Road No. 809) and also except the Easterly 159.83 feet of the South 50 feet thereof. Said property located on the northeast corner of the intersection of Military Trail (S.R. 809) and Coconut Road, 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:
 - a. Sixty (60) feet from centerline for the ultimate right-of-way for Military Trail.
 - b. Forty (40) feet from centerline for the ultimate right-of-way for Coconut Road.
2. Petitioner shall construct a left turn lane, north approach, on Military Trail at Coconut Road.
3. Petitioner shall contribute Eight Thousand One Hundred Twenty-five Dollars (\$8,125.00) toward 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 provision of Ordinance 79-7 as follows:

\$752.00/1,000 sq. ft.

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

4. All landscaping shall be installed as shown on site plan submitted prior to the issuance of a Certificate of Occupancy.

Commissioner Gregory, 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:

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

The foregoing resolution was declared duly passed and adopted this 20th day of May, 1980, confirming action of 24 April 1980.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Frank Foster*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

W. H. H. H.
County Attorney

