

RESOLUTION NO. R-80-830

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. 80-71 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 29 May 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 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 29th day of May, that Petition No. 80-71 the petition of CHRISTOPHER H. COOK, TRUSTEE, by Kieran Kilday, Agent, for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT on Lot 5, less the South 45 feet for

right-of-way of Northlake Boulevard, together with Lot 6, less the South 45 feet for right-of-way for Northlake Boulevard and less the East 33 feet of the South 195 feet thereof and together with the North 113.16 feet of Lot 7, plat of Rivard Subdivision, in Section 17, Township 42 South, Range 43 East, as recorded in Plat Book 21, page 12. Said property located on the north side of Northlake Boulevard (S.R. 809A), approximately 350 feet east of S.R. A-1-A, 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 Northlake Boulevard.
2. Within ninety (90) days of Special Exception approval, petitioner shall convey to Palm Beach County fifty-four (54) feet from centerline for the ultimate, right-of-way for Prosperity Farms Road.
3. Within ninety (90) days of Special Exception approval, petitioner shall convey to Palm Beach County thirty (30) feet from centerline for the right-of-way for Park Road.
4. No median opening on Northlake Boulevard will be allowed.
5. Petitioner shall pay the pro-rata share of the cost of construction of Park Road from Prosperity Farms Road west to the existing pavement.
6. Petitioner shall be allowed a right-turn only from Prosperity Farms Road. The geometrics shall be approved by the County Engineer.
7. Petitioner shall contribute Eight Thousand Dollars and Fifty Cents (\$8,000.50) 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 provisions of Ordinance 79-7 as follows:

\$1,110.00/1,000 sq. ft.

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

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

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:

Dennis Koehler, Chairman	Aye
Frank Foster, Vice Chairman	- Aye
Bill Bailey, Member	Absent
Norman R. Gregory, Member	- NO
Peggy B. Evatt, Member	Aye

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

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Ruth Ann Ottman*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

Charles F. Schoech
County Attorney

