

RESOLUTION NO. R-80-843

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. 80-90 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 conserve the value of buildings and encourage the most appropriate use of the land and water
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 protect the tax base
4. The proposal would not be disruptive to the character of the neighborhoods or adverse to playgrounds, parks, schools and recreation areas
5. The proposal would not be adverse to the promotion of the public health, safety, comfort, convenience, order, appearance, prosperity or general welfare

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. 80-90 the petition of ANTHONY DeFINO by Alan J. Ciklin, Attorney, for the FURTHER SPECIAL EXCEPTION TO ALLOW THE CONTINUATION AND EXPANSION OF AN EXISTING MOTEL on portions of Lots 12 and 34, Block 82, PALM BEACH FARMS PLAT NO. 3, in Section 31, Township 47 South, Range 42 East, as recorded in Plat Book 2, page 53, TOGETHER WITH that certain 30 foot road reservations lying between said Lots 12 and 34, and being all more fully described as follows: Commencing at the intersection of the centerline of Southwest 66th Avenue and the centerline of Southwest 19th Street as shown on the plat of Sandalfoot Cove Section One, according to the plat thereof, recorded in Plat Book 28, at pages 225 and 226; thence South $89^{\circ}05'05''$ West along the said centerline of Southwest 19th Street a distance of 896.452 feet to a point on the East line of the West 45 feet of said Lot 12; thence South $1^{\circ}37'51''$ East along the said East line a distance of 50.004 feet to a point on the South right-of-way line of said Southwest 19th Street and the Point of Beginning; thence continuing South $1^{\circ}37'51''$ East along the said East line of the West 45 feet of Lot 12 and along the East line of the West 45 feet of said Lot 34 and extensions thereof, a distance of 376.694 feet; thence North $89^{\circ}05'05''$ East a distance of 345.461 feet; thence North $0^{\circ}54'55''$ West a distance of 30 feet; thence North $44^{\circ}05'05''$ East a distance of 42.426 feet; thence North $0^{\circ}54'55''$ West a distance of 101.663 feet; thence South $89^{\circ}05'05''$ West a distance of 30 feet; thence North $0^{\circ}54'55''$ West a distance of 215 feet to a point on the said South right-of-way line of Southwest 19th Street; thence South $89^{\circ}05'05''$ West along the said South right-of-way line a distance of 350.156 feet to the Point of Beginning. Said property located at the southeast corner of the intersection of S.W. 19th Street (Marina Boulevard) and S.R. 7 (U.S. 441), was approved as advertised subject to the following conditions:

1. Petitioner shall be allowed only a right-in and right-out access to SW 19 Street when SW 19 Street is constructed by the proposed shopping center on the NE corner of S.R. 7 and SW 19 Street.
2. All new concrete block walls shall be filled with a thin cement slurry (allow no windows).
3. Create a second concrete block wall by relocating the bathrooms and vestibule along both walls nearest to the neighbors, putting the entrance in the middle of the northwest wall.
4. Solid core wood or metal doors with heavy sponge vinyl gasketing around all edges, including the threshold, shall be used.
5. Toilet exhausts shall be vented through the ceiling, rather than the wall.
6. The existing double doors leading to the motel rooms shall be replaced with solid core wood or metal ones, gasketed on all four edges.
7. Place a second set of double doors facing 441. A lay-in acoustical ceiling in this "air lock" will help contain inside sounds.
8. Place a second set of double doors near the stage of the existing lounge. The secondary set of doors will face a southeast direction.
9. Lock and caulk existing windows behind the stage with any non-hardening material. Place a second set of non-operable windows on the same sill, using different thicknesses of glass with as much room as possible between panes.
10. Resiliently support all loudspeakers on rubber pads or steel spring vibration isolaters, using multiple speakers so volume can be kept at a minimum.
11. Additional acoustical tile, carpets or draperies on the walls or other absorbant materials may make it necessary to increase music volume and also decrease speech privacy between occupants.
12. Locked limiters on volume gain control could be set to preclude sound spillage to adjacent residences.
13. Vegetative buffers shown on east and south sides shall be installed prior to final inspection on the proposed addition.
14. The use of the pool shall be limited to daylight hours.
15. The bar must close no later than 2:00 A.M.

Commissioner Koehler , moved for approval of the petition.
The motion was seconded by Commissioner Evatt , and upon being
put to a vote, the vote was as follows:

Dennis Koehler, Chairman		Aye
Frank Foster, Vice Chairman	-	Aye
Bill Bailey, Member		No
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:

Keith Van Otterom
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

Charles F. Schoech
County Attorney

