

RESOLUTION NO. R-80- 1016

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. 80-116 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 26 June 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 23rd day of June, 1980, that Petition No. 80-116 the petition of BOCA DEL MAR ASSOCIATES by Warren Newell, Agent, for a SPECIAL EXCEPTION TO ALLOW GASOLINE PUMP ISLAND FACILITIES on a parcel of land lying in the Southeast 1/4 of Section 21, Township 47 South, Range 42 East, said parcel being a portion of Tract 11, Boca Del Mar No. 5, as recorded in Plat Book 30, pages 127 and 128; said parcel being more particularly described as follows: Commencing at the Southeast corner of Section 21, Township 47 South, Range 42 East; thence with a bearing of North 0°29'33" West along the East line of Section 21 a distance of 250.31 feet to a point; thence with a bearing of South 89°30'27" West a distance of 53.00 feet to a point; thence with a bearing of South 82°42'19" West a distance of 14.10 feet to a point; thence with a bearing of North 0°29'33" West along the West right-of-way line of Powerline Road a distance of 844.03 feet to a point; said point being the Point of Beginning; thence with a bearing of South 89°30'27" West, a distance of 209.03 feet to a point; thence with a bearing of North 0°29'33" West a distance of 209.03 feet to a point on the South right-of-way line of Palmetto Circle North; thence with a bearing of North 89°30'27" East along said North right-of-way line a distance of 184.03 feet to a point of curvature; thence with a curve to the right having a radius of 25.00 feet, and an arc length of 39.27 feet to a point on the West right-of-way line of Powerline Road; thence with a bearing of South 0°29'33" East a distance of 184.03 feet more or less to the Point of Beginning. Said property located on the southwest corner of the intersection of Palmetto Circle North and Powerline Road in a CG-General Commercial District, was approved as advertised subject to the following conditions:

1. Petitioner shall be allowed only one access drive on Powerline Road.
2. Petitioner shall construct access drives to the adjacent shopping center per County Engineer's approval.
3. Petitioner shall not be granted a Certificate of Occupancy until Powerline Road is four-laned per Resolution R-73-380.
4. Petitioner shall contribute Ten Thousand Nine Hundred Dollars (\$10,900.00) 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).
5. All landscaping shall be installed as shown on site plan submitted prior to the issuance of a Certificate of Occupancy.
6. Compressed air must be available for the use of the customers.

Commissioner Bailey, 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	- Aye
Norman R. Gregory, Member	- No
Peggy B. Evatt, Member	- Absent

The foregoing resolution was declared duly passed and adopted this 29th day of July, 1980, confirming action of 26 June 1980.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: [Signature]
 Deputy Clerk

APPROVE AS TO FORM
 AND LEGAL SUFFICIENCY

Charles F. Schoach
 County Attorney

