

RESOLUTION NO. R-80-.1020

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. 80-120 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 conform to the character of the district and its peculiar suitability for particular uses
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. 80-120 the petition of EDWARD A. McCARTHY, ARCHBISHOP OF THE ARCHDIOCESE OF MIAMI, by Richard L. SanGiovanni, Agent, for a SPECIAL

EXCEPTION TO ALLOW A CHURCH AND ACCESSORY BUILDINGS AND STRUCTURES on a portion of Tracts 7, 8 and 9 of the Subdivision of Section 26, Township 45 South, Range 42 East, in Plat Book 6, page 26, said portion being more particularly described as follows: Beginning at the Southeast corner of Tract 8 of the said Plat of Subdivision of Section 26; thence Northerly, along the East line of Tracts 7 and 8, a distance of 695.0 feet; thence Westerly, and parallel with the South line of Tract 8, a distance of 370.0 feet; thence Southerly, and parallel with the East line of Tracts 7 and 8, a distance of 134.0 feet; thence Westerly, and parallel with the South line of Tract 8, a distance of 381.39 feet; thence Southerly, and parallel with the East line of Tracts 7 and 8, a distance of 561.0 feet to the intersection with the South line of Tract 9; thence Easterly, along the South line of Tract 7 and Tract 8, a distance of 751.39 feet to the Point of Beginning **aforescribed**. Said property located on the west side of Military Trail (S.R. 809), approximately .9 mile south of Boynton Road (S.R. 804) in an AG-Agricultural 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 Military Trail.
2. Petitioner shall contribute Two Thousand Seven Hundred Sixty Dollars (\$2,760.00) or One Hundred Thirty-two Dollars (\$132.00)/1,000 sq. ft. 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).
3. Petitioner shall comply with the landscape and tree preservation plan submitted.
4. The developer will take reasonable precautions during the development of this project to insure that fugitive **particulates** (dust particles) from the project do not become a nuisance to neighboring properties.
5. The Lake Worth Drainage District will require the South 15 feet of Tract 8 and that portion of Tract 9 contained in this petition, all according to the plat of the Subdivision of Section 26, Township 45 **South**, Range 42 East, **Plat** Book 6, page 26, for the required **right-of-way** for Lateral Canal No. 26. We will accept a Quit Claim Deed or an Easement (on our form), whichever the owner prefers.

6. The Planning Commission would support a variance request to allow grass parking, if such a request was submitted.

Commissioner Bailey, 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	- Absent
Bill Bailey, Member	- Aye
Norman R. Gregory, Member	- Absent
Peggy B. Evatt, Member	- Aye

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: 
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney

