

RESOLUTION NO. R- 81-599

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. 81-67 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23 April 1981; 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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this **12 th** day of **May. 1981**, that 'Petition No. 81-67 the petition of BYRON W. and EVELYN R. TODD for the FURTHER SPECIAL EXCEPTION TO ALLOW A GASOLINE PUMP ISLAND FACILITY on the **East 1/2** of the Southeast **1/4** of the Southeast **1/4** of the Southwest **1/4** of said Section 16; less right-of-way for State Road 806 (**Delray**

West Road) and **Hagen** Ranch Road, subject to dedication of the South 7.00 feet thereof for road purposes and less the North 139.00 feet thereof. Said property located on the northwest corner of the intersection of **Hagen** Ranch Road and Delray West Road (S.R. 806), 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 90' north of south line of the SW 1/4 section of Section 16 for the ultimate right-of-way for Delray West Road.
2. Petitioner shall not be permitted a median opening on Delray West Road.
3. Petitioner shall contribute Two Thousand One Hundred Eighty-eight Dollars (\$2,188.00) 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).
4. The site plan shall be amended to include the entire CG zoned portion of the property. The unused portion of the CG shall be designated as reserved for future development subject to Special Exception approval.

Commissioner **Gregory** , 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:

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

The foregoing resolution was declared duly passed and adopted this **12th** day of **May, 1981** , confirming action of 23 April 1981.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk-

By: *Scott Alan Ottman*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

Samuel B. ...
County Attorney

