

RESOLUTION NO. R- 81-1063

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. 81-127 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23 July 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 23 day of July 1981, that Petition No, 81-127 the petition of BOCA YACHT AND TENNIS CLUB, INC., by Robert C. Currie, Agent, for the FURTHER SPECIAL EXCEPTION TO ALLOW A FINANCIAL INSTITUTION AND AN ON-SITE SEWAGE TREATMENT PLANT on Lots 1, 2, 3, and 4, Breezy Acres, in Section 14, Township 46 South, Range 42 East, as recorded in Plat Book 20, page 79. Said property located on the southeast corner of the intersection of West Atlantic Avenue (S.R. 806) and Markland Lane, 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 60' from centerline for the ultimate right-of-way for West Atlantic Avenue.
2. Petitioner shall not be permitted a median opening on Delray West Road.
3. Petitioner shall construct **Markland** Avenue from Delray West Road to the project's south propertyline, prior to the issuance of a Certificate of Occupancy.
4. Petitioner shall construct at the intersection of Delray West Road and the project's entrance a right turn lane west approach, prior to the issuance of a Certificate of Occupancy.
5. Petitioner shall construct at the intersection of **Markland** Lane and Delray West Road a left turn lane south approach, prior to the issuance of a Certificate of occupancy.
6. Petitioner shall contribute Twelve Thousand Nine Hundred and Thirty-eight Dollars (\$12,938.00) 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).
7. The developer will take reasonable precautions during the development of this project to insure that fugitive **particulates** (dust particles) from this project do not become a nuisance to neighboring properties.
8. The developer will take necessary precautions to insure there will be no pollutant run-off from this project to adjacent or nearby surface waters.
9. The on-site water and sewage treatment plant is authorized as a temporary facility only. The development shall be required to tie into community facilities when capacity becomes available.

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:

Frank Foster, Chairman	- Aye
Norman Gregory, Vice Chairman	- Absent
Bill Bailey, Member	- <b>Aye</b>
Dennis Koehler, Member	- <b>Aye</b>
Peggy B. Evatt, Member	- <b>Aye</b>

The foregoing resolution was declared duly passed and adopted  
this 25 day of August 1981, confirming action of  
23 July 1981.

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

*[Signature]*  
County Attorney

