

RESOLUTION NO. R-81-1372

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. 81-166 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24 September 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 24th day of September, that Petition No. 81-166 the petition of CHRISTINE N. GABEL., TRUSTEE, for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on the North 3/4 of the South 1/2 of the Northeast 1/4 of Section 26, Township 6 South, Range 42 East, less the East 620 feet thereof; Together with

the North 200 feet of the West 545 of the East 620 feet of the South 1/2 of the Northeast 1/4 of said Section 26. Said property located on the west side of Military Trail (S.R. 809), approximately .3 mile north of L.W.D.D. Lateral Canal No. 37, was approved as advertised subject to the following conditions:

1. Petitioner shall provide construction plans for Military Trail (per condition No. 2) acceptable to the County Engineer within six months of the special exception approval.
2. Petitioner shall construct Military Trail to a 4-lane median divided section from the proposed southern terminus of Petition 81-98 to this project's south property line prior to the issuance of the 125th Certificate of Occupancy.
3. Petitioner shall construct a left turn lane, south approach, at the project's entrance and Military Trail, prior to the issuance of a Certificate of Occupancy.
4. Petitioner shall contribute Forty-three Thousand Seven Hundred and Fifty Dollars (\$43,750.00) toward the cost of meeting this project's direct and identifiable traffic impact to be paid at the time of issuance of the building permits. This fee to be credited towards the 4-laning of Military Trail based on a Certified cost estimate from the petitioner's Engineer.
5. 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.
6. The developer will take necessary precautions to insure there will be no pollutant run-off from this project to adjacent or nearby surface waters.
7. The Lake Worth Drainage District will require that portion of the subject property lying within 72.50 feet of each side of the centerline of the existing physical canal. We will accept a Quit Claim Deed or an Easement (on our form), whichever the owner prefers.

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:

Frank Foster, Chairman	ABSENT
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 27th day of October , confirming action of
24 September 1981.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Reith New Ottem*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

James M. Brudshagen
County Attorney

