

RESOLUTION NO. R-81-1379

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. 81-172 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. 81-172 the petition of RUTH ALICE DUTHLER for a SPECIAL EXCEPTION TO ALLOW WHOLESALE MEAT CUTTING on all of Lots 3, 4 and 5, less the West 3 feet thereof, together with the East 50 feet of Lots 6 and 7, less the South 15 feet of Lot 7, Plat of Grammes Homesites,

in Section 24, Township 44 South, Range 42 East, as recorded in Plat Book 21, at page 91. Said property located on the southeast corner of Marilyn Drive and Military Trail (S.R. 809) in a CG-General Commercial District, was approved as advertised subject to the following conditions:

1. Petitioner shall convey to Palm Beach County within ninety (90) days of Special Exception approval:
 - a. 60' from centerline for the ultimate right of way for Military Trail.
 - b. 54' from centerline for the ultimate right of way for Tenth Avenue North.
2. Petitioner shall reserve the additional right of way required for the 'special intersections' as follows:
 - a. an additional 22 feet for Tenth Avenue North
 - b. an additional 4 feet for Military Trail
3. Petitioner shall not be permitted a median opening on Military Trail.
4. Petitioner shall contribute Four Hundred and Thirty-eight Dollars (\$438.00) 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.
5. The site plan must be amended to reflect code-required landscaping and setbacks unless the petitioner secures variance relief from the Board of Adjustment.

Commissioner Koehler, moved for approval of the petition.

The motion was seconded by Commissioner Bailey, and upon being put to a vote, the vote was as follows:

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

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: *Ruth Van Otter*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
County Attorney