

RESOLUTION NO. R-82-136

RESOLUTION APPROVING ZONING PETITION 81-200A

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. 81-200A was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23 December 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.
2. The proposal is not adverse to the public's health, safety, comfort, convenience, order, appearance, prosperity or general welfare.
3. The proposal conforms to the character of the district and its peculiar suitability for particular uses.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 23rd day of December 1981, that Petition No. 81-200A, the petition of RICHARD J. SLUGGETT by Alan Ciklin, Attorney, for a SPECIAL EXCEPTION TO ALLOW A COMMERCIAL STABLE, PRIVATE RECREATION FACILITY AND CLUB, INCLUDING A COMMERCIAL SALES AND SERVICE ENTERPRISE on a parcel of land in Section 36, Township 43 South, Range 40 East, being more particularly described as follows: Beginning at

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the intersection of the Westerly line of Seminole Pratt-Whitney Road with the Northerly line of State Road 80 and extending thence; North  $88^{\circ}26'31''$  West along the Northerly line of State Road 80, 617.99 feet to a point; thence North  $88^{\circ}31'51''$  West, still along same 222.54 feet to the Westerly line of that certain 200 foot wide easement described in Official Record Book 1354, page 55; thence North  $01^{\circ}27'05''$  East, along same, 3428.14 feet to the North line of Section 36; thence South  $88^{\circ}46'25''$  East, along same 200.00 feet to the Easterly line of said 200 foot wide easement, being also corner to lands owned by Florida Power and Light Company; thence South  $01^{\circ}27'05''$  West, along same, 671.83 feet to a point; thence South  $88^{\circ}46'25''$  East, still along the line of lands belonging to Florida Power and Light Company, 647.70 feet to a point in the Westerly line of Seminole Pratt-Whitney Road; thence South  $01^{\circ}36'00''$  West, 2760.86 feet to the Point and Place of Beginning. Said property located on the northwest corner of the intersection of Seminole Pratt-Whitney Road (167th Avenue North) and Southern Boulevard (S.R. 80) in an AG-Agricultural 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. 200 feet from the existing North right-of-way of the C-51 Canal for the ultimate right-of-way for Southern Boulevard.
  - b. 60 feet from centerline for the ultimate right-of-way for Seminole Pratt-Whitney Road.
2. Petitioner shall reserve the additional right-of-way required in the Thoroughfare Right-of-Way Protection Map as follows:  
an additional 132 feet from centerline of Seminole Pratt-Whitney Road for University Parkway above and beyond the proposed 60 feet.
3. Petitioner shall construct at the intersection of Seminole Pratt-Whitney Road and Southern Boulevard a left turn lane, west approach, prior to the issuance of a Certificate of Occupancy,

4. Petitioner shall contribute One Thousand Three Hundred and Seventy-five Dollars (\$1,375.00) toward the cost of meeting this project's direct and identifiable traffic impact, to be paid on a pro-rata basis at the time of issuance of the building permit(s).
5. Petitioner shall contribute 50% of the cost of signalization at the intersection of S.R. 80 and Seminole Pratt-Whitney Road, as warranted when determined by the County Engineer.
6. Petitioner shall enter into an appropriate agreement with the Seminole Water Control District addressing liabilities associated with the proximity of the two uses. And further, petitioner, successors and assigns shall maintain in any liability insurance policy on subject property, provisions naming the Seminole Water Control District as a co-insured and loss-payee for the risks stated in the aforementioned agreement,

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	Yes
Norman Gregory, Vice Chairman -	Absent
Bill Bailey, Member	Yes
Dennis Koehler, Member	Yes
Peggy B. Evatt, Member	Yes

The foregoing resolution was declared duly passed and adopted this 9th day of February 1982, confirming action of 23 December 1981.

PALM BEACH COUNTY, FLORIDA  
 BY ITS BOARD OF COUNTY  
 COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Mark ...*  
 Deputy Clerk

APPROVE AS TO FORM  
 AND LEGAL SUFFICIENCY

*[Signature]*  
 County Attorney

