

RESOLUTION NO, R-82-541

RESOLUTION APPROVING ZONING PETITION 82-42, Special Exceptic

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. 82-42 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 25 March 1982; 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 25th day of March, 1982, that Petition No. 82-42 the petition of R. GRANVILLE WEBB, TRUSTEE, for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED INDUSTRIAL DEVELOPMENT on Tract 50 and the West 1/2 of Tract 49, Block 5, Palm Beach Farms

Company Plat No. 3 in Section 33, Township 43 South, Range 42 East as recorded in Plat Book 2, page 46; together with Tract 25 and all that part of Tract 26, Block 6 of said Plat, lying Easterly of the Sunshine State Parkway. Said property located on the southeast corner of the intersection of 5th Street North and Sunshine State Parkway, was approved as advertised subject to the following conditions:

1. Petitioner shall construct prior to the issuance of a Certificate of Occupancy per the County Engineer's approval:
  - a. Cleary Road from Southern Boulevard to the project's north property line
  - b. left turn lane, west approach, on Southern Boulevard at its intersection with Cleary Road
  - c. left turn lane, north approach, on Cleary Road at its intersection with Southern Boulevard
  - d. right turn lane, east approach, on Southern Boulevard at its intersection with Cleary Road
2. Petitioner shall contribute, in addition to the impact fee assessed to Petition #81-161, \$15,075.00 (Fifteen Thousand and Seventy-five Dollars) 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 permits.
3. The petitioner 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.
4. The petitioner will take necessary precautions to insure there will be *no* pollutant run-off from this project to adjacent or nearby surface waters.
5. The Lake Worth Drainage District will require the North 30 feet of Tract 26, Block 6, lying east of the Sunshine State Parkway; the North 30 feet of Tract 25, Block 6; the North 30 feet of Tract 50, Block 5, and the North 30 feet of the W 1/2 of Tract 49, Block 5, all according to the Plat of Palm Beach Farms Co. Plat No. 3 for the right-of-way for Lateral Canal No. 4. Petitioner shall convey said right of way by either a **Quit Claim Deed** or an **Easement** on a form acceptable to **the** District.

Commissioner Bailey, moved for approval of the petition. The motion was seconded by Commissioner Foster, and upon being put to a vote, the vote was as follows:

Norman Gregory, Chairman  
Peggy Evatt, Vice Chairman  
Bill Bailey, Member  
Dennis Koehler, Member  
Frank Foster, Member

Absent  
Yes  
Yes  
**YesYes**  
Yes

The foregoing resolution was declared duly passed and adopted  
this 18th day of May, 1982, confirming action of  
25 March 1982.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Ruth Ann Otterew*  
Deputy Clerk

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

*John Corbett*  
/County Attorney

