

RESOLUTION No. R-83-130

RESOLUTION APPROVING ZONING PETITION 82-109, SPECIAL EXCEPTION AMENDING
SITE PLAN OF A CONDITIONAL USE APPROVED MARCH 16, 1972 (COUNTRY CLUB TRAILS

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. 82-109 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23 September 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 23rd day of September, 1982, that Petition No. 82-109 the petition of BOYNTON WEST SHOPPING CENTER By Alan J. Ciklin, Attorney, for a SPECIAL EXCEPTION TO AMEND THE PREVIOUSLY APPROVED SITE PLAN FOR BOYNTON WEST SHOPPING CENTER WITHIN COUNTRY CLUB TRAILS PLANNED UNIT DEVELOPMENT TO INCLUDE AN AUTO SERVICE STATION on the part of the Southeast $\frac{1}{4}$ of Section 23, Township 45 South, Range 42 East, for a point of reference commence at the Southeast corner of said Section 23 and run North $00^{\circ}30'49''$ East along the East line of said Section 23, also being the centerline of Military Trail (State Road 809), a distance of 1347.32 feet: thence run North $89^{\circ}55'35''$ West, a distance of 60.00 feet to the Westerly right-of-way line of said Military Trail and the Point of Beginning: thence run South $00^{\circ}30'49''$ West along the Westerly right-of-way line of said Military Trail, a distance of 153.11 feet; thence run North $89^{\circ}29'11''$ West, a distance of 120.00 feet: thence run North $00^{\circ}30'49''$ East, a

distance of 120.00 feet to the Point of Beginning; Subject to a 20 foot easement along the East line of said parcel lying West of the ultimate right-of-way line of Military Trail. Said property located on the west side of Military Trail (S.R. 809) approximately .2 mile north of Boynton Road (S.R. 804) in an AR-Agricultural Residential District was approved subject to the following conditions:

1. If Old Boynton West Road is extended west of Military Trail this project's access onto Military Trail **will** be discontinued and access onto Old Boynton Road **will** be provided.
2. Developer shall contribute the sum of Nine Thousand Three Hundred and Thirteen Dollars (**\$9,313.00**) 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).
3. Developer shall retain **onsite** 85% of the stormwater runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.
4. Developer shall limit hours of operation from 7:00 A.M. to Midnight.
5. Developer shall install pavement markings and **signage** within the existing shopping center, as determined by the County Engineer, prior to the issuance of the building permit(s).

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:

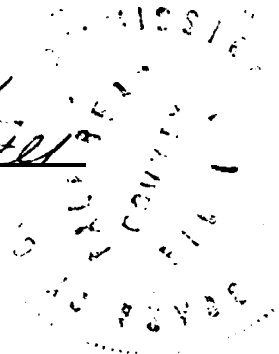
Bill Bailey, Chairman	Absent
Dennis Koehler, Vice Chairman	- Aye
Peggy B. Evatt , Member	Aye
Frank H. Foster, Member	Absent
Norman R. Gregory, Member	NAY

The foregoing resolution was declared duly passed and adopted this 25th **day** of January , 1983 , confirming action of 23 September 1982.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Grand Yeter*
 Deputy Clerk



APPROVE AS TO FORM
 AND LEGAL SUFFICIENCY

John Barrett
 County Attorney