

RESOLUTION NO. R-83-133

RESOLUTION APPROVING ZONING PETITION 82-121, SPECIAL EXCEPTION

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. 82-121 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, Petitioner agreed not to utilize Roberts Road; 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 23 day of September, 1982, that Petition No. 82-121 the petition of WILLIAM W. AND ENID F. CHEATHAM, for a SPECIAL EXCEPTION TO ALLOW BULK STORAGE OF GAS AND OIL on a parcel of land situate in Section 35, Township 43 South, Range 42 East, being a portion of Tract 65, Block 5, of the Palm Beach Farms Company's Plat No. 3, as recorded in Plat Book 2, Pages 45 to 54, more particularly described as follows: the South 1/2 of the following described parcel: the East 1/2 of said Tract 65, Less the North 15 feet, Less the South 230.20 feet, Less the East 60.00 feet thereof. Said property located on the west side of Jog Road North (State Avenue), approximately 400 feet north of Southern Boulevard (S.R.80) in an IL-Light Industrial District, was approved as advertised subject to the following conditions:

1. 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.
2. Developer shall construct prior to the issuance of a Certificate of Occupancy:
 - a) Jog Road from Souther Boulevard North to the project's north property line.
 - b) A right turn lane east approach on Southern Boulevard at its intersection with Jog Road.
3. Developer shall contribute the sum of One Thousand Six Hundred and Fifty Dollars (**\$1,650.00**) 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.
4. Truck traffic shall be prohibited through Roberts Road.

Commissioner **Evatt** , moved for approval of the petition. The motion was seconded by Commissioner **Koehler** , 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	Aye

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: *Joseph D. Yates*
 Deputy Clerk

APPROVE AS TO FORM
 AND LEGAL SUFFICIENCY

John Corbett
 County Attorney

