

RESOLUTION NO. R-83-1036

RESOLUTION APPROVING ZONING PETITION 82-166, 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. 82-166 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24th March 1983; 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 Planning Commission; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The proposed is permitted by the **Comprehensive Plan**.
2. The proposed development will have a significant traffic impact upon Blue Heron Boulevard which must be addressed prior to approval.
3. Since this property is surrounded by active industrial **property**, no compatibility issues need to be addressed.

WHEREAS, the petitioner requested that Petition 82-166 be amended to include a Special Exception for a Planned Commercial Development, and such request was granted.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 24th day of March, 1983, that Petition No. 82-166 the petition of HUNT, CLEMENT LAND TRUST, FIRST BANK AND TRUST OF PALM BEACH COUNTY, By Lee Starkey, Agent, for A SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT on all of Parcel "A", less the East 735 feet thereof (as measured along the North line of said Parcel "A") and Less the North 275 feet thereof (as measured at right angles to the North line of said Parcel "A") of Plat No. 1, Central Industrial Park in the West 1/2 of Section 30, Township 42 South,

Range 43 East, as recorded in Plat Book 30, Page 37. Said property located on the Northeast corner of the intersection of Blue Heron Boulevard and Central Industrial Drive, was approved as amended subject to the following conditions:

1. Prior to final site plan approval, the developer shall enter into a contract for utility services with the city of Riviera Beach.
2. The property owner shall convey to Palm Beach County 60 feet from centerline for the ultimate right-of-way for Blue Heron Boulevard, within 90 days of this approval.
3. Only one access onto Central Industrial Drive will be permitted approximately 250 feet north of Blue Heron Boulevard.
4. Only one access onto Blue Heron Boulevard will be permitted approximately 275 east of Central Industrial Drive.
5. The developer shall contribute a pro-rata share **toward** the cost of signalization, **(25%)**, of the intersection of Central Industrial Drive and Blue Heron Boulevard, if said signalization is warranted within five years after **the** issuance of the final certificate of occupancy.
6. **The** developer shall construct concurrent with on-site paving and drainage pursuant to a permit from the Office of the County Engineer:
  - a) Lengthening of the existing left turn lane west approach on Blue Heron Boulevard at Central Industrial Drive per the County Engineer's approval.
  - b) Left turn lane north approach on Central Industrial Drive at the project entrance road.
7. Developer shall contribute the sum of \$20,788.00 toward the cost of meeting this project's direct and identifiable traffic impact at the time of issuance of building permits at the rate of \$13,288.00 for the proposed restaurant, \$6,375.00 for the proposed bank and \$1,125.00 for the proposed offices.
8. The developer shall take reasonable precautions during development of this property to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties.
9. The developer shall take necessary measures during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters.

Commissioner Bailey, moved for approval of the petition.

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

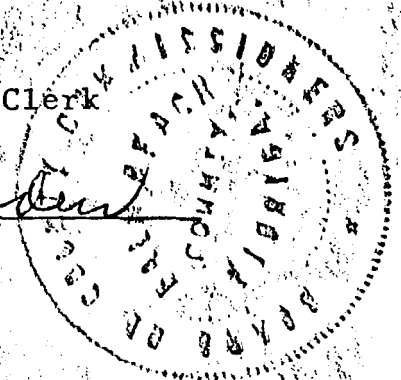
Peggy E. Evatt, Chairman	- ABSENT
Ken Spillias, Vice Chairman	- AYE
Dennis P. Koehler, Member	- ABSENT
Dorothy Wilken, Member	- AYE
Bill Bailey, Member	- AYE

The foregoing resolution was declared duly passed and adopted this 13th day of September , 1983 , confirming action of 24th March 1983.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

  
Deputy Clerk



APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

  
/County Attorney