

RESOLUTION NO. R- 83-1039

RESOLUTION APPROVING ZONING PETITION 83-11, 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 NC. 73-2 have been satisfied; and

WHEREAS, Petition No. 83-11 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 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 proposed is consistent with the Future Land Use Plan designation for this property and with the Mandatory Performance Standards of the Comprehensive Plan.
2. The subject property is located in an area with sub-standard roadway and drainage systems unable to support intensive development.

WHEREAS, the petitioner requested that Petition 83-11 be amended to include a Special Exception for a Planned Industrial Park 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. 83-11 the petition of RUDDOLF AND MARCIA ROTH, for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED INDUSTRIAL PARK on the West 132 feet of Tract 84, Model Land Company in Section 20, Township 44 South, Range 43 East as recorded in Plat Book 5, Page 79. Said property located on the

north side of 4th Avenue North (Shell Road), approximately .2 mile west of Boutwell Road, was approved as amended subject to the following conditions:

1. The property owner shall dedicate to Palm Beach County within 90 days of this approval, an additional 15 feet for the right-of-way of 4th Avenue.
2. The developer shall construct 4th Avenue North from Boutwell Road west to the project's west property line concurrent with a paving and drainage permit issued from the office of the County Engineer.
3. The developer shall construct a left-turn lane south approach, on Boutwell Road at 4th Avenue North within five years after this approval.
4. Developer shall contribute the sum of \$1,500.00 toward the cost of meeting this project's direct and identifiable traffic impact to be paid at the time of issuance of building permits.

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

By: Judy Madden
Deputy/Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John Balett
County Attorney