

RESOLUTION NO. R-83-1107

RESOLUTION APPROVING ZONING PETITION 83-95, 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. 83-95 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28th July 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 use is permissible under the provisions of the Comprehensive Plan and Zoning Code.
2. With adequate screening the proposed use would not have an adverse impact upon adjoining properties.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 28th day July 1983, that Petition No. 83-95 the petition of RAYMOND T. AND BARBARA PREY, for a SPECIAL EXCEPTION TO ALLOW A COMMERCIAL NEW AND USED SAILBOAT SALES AND REPAIR FACILITIES AND LOT on a portion of Lots 1 through 4, inclusive, in Section 17 Township 42 South, Range 43 East, No. 67-448, dated October 4, 1967, as prepared by William G. Wallace, Inc., being more particularly described as follows:

Commencing at the intersection of the westerly right-of-way line of State Road A1A (89 foot right-of-way) and the northerly right-of-way line of Richard Road (66 foot right-of-way) as shown on the plat of Kelsey Acres Flat No. 2, as recorded in Plat Book 24 at page 47; thence west along the northerly right-of-way line of Richard Road, (the northerly right-of-way

line of Richard Road is assumed to bear West and all other bearings are relative thereto) a distance of 217.51 feet to a point of intersection with the Easterly right-of-way line of the FEC Railroad as now laid out and in use; thence North $22^{\circ}38'00''$ West along said Easterly right-of-way line a distance of 136.29 feet to the Point of Beginning of the herein described parcel; thence continue North $22^{\circ}38'00''$ West a distance of 100.42 feet to a point, thence radially North $53^{\circ}11'28''$ East a distance of 127.57 feet to a point of intersection with the Westerly right-of-way line of said State Road A1A, said point being on the arc of a curve concave to the Southwest, having a radius of 5689.58 feet, a central angle of $61^{\circ}00'26''$ and a radial bearing at this point of North $53^{\circ}11'28''$ East; thence Southeasterly along the arc of said curve and Westerly right-of-way line a distance of 100.02 feet to a point; thence radially South $54^{\circ}11'54''$ West a distance of 151.30 feet to the Point of Beginning. Said property located on the west side of State Road A-1-A, approximately .4 miles north of Northlake Boulevard (S.R.869A) in an CG-General Commercial District was approved as advertised subject to the following conditions:

1. This development shall retain onsite 85% of the storm water runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.
2. The property owner shall convey for the ultimate right-of-way of S.R. A1A, 55 feet west of the existing Base Line of Survey, approximately an additional 15 feet within 90 days of approval; conveyance must be accepted by Palm Beach County prior to issuance of first building permit.
3. The developer shall contribute One Hundred and Twenty Five Dollars (\$125.00) toward the cost of meeting this project's direct and identifiable impact, to be paid at the time of the building permit.
4. The developer shall take reasonable precautions during the development of this property to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties.
5. The developer shall take necessary measures during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters.
6. The developer shall install additional screening along the north, south and west property boundaries to consist of a continuous hedge along these property lines. This landscaping shall be provided with automatic irrigation.
7. The site plan shall be revised to conform to all applicable property development regulations.

Commissioner Bailey, 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:

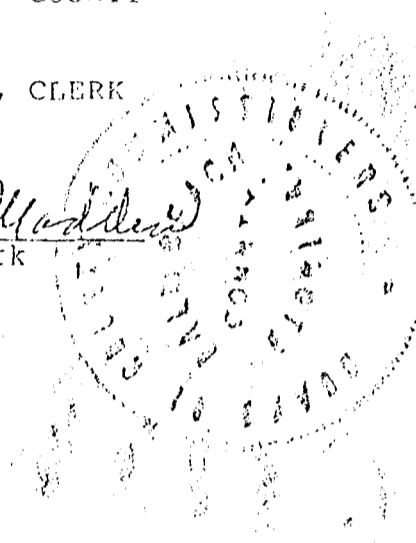
Peggy E. Evatt, Chairman	--	AYE
Ken Spillias, Vice Chairman	--	AYE
Dennis P. Koehler, Member	--	AYE
Dorothy Wilken, Member	--	AYE
Bill Bailey, Member	--	AYE

The foregoing resolution was declared duly passed and
adopted this day of **SEP 13 1983** , confirming action of
28th July 1983.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Judy Maddala*
Deputy Clerk



APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John Cortright
County Attorney