

RESOLUTION NO. R-84-335

RESOLUTION APPROVING ZONING **PETITION 78-115 (A), 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. 78-115(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 1st December 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 **Special Exception** is consistent with the requirements of the Comprehensive Plan.
2. The proposed development can be accommodated to the subject site in conformity with all property development regulations provided that minor changes are made to the proposed site plan.
3. **Provided** that adequate buffering is installed along the property's northern boundary, this development will not have any adverse impacts upon adjoining properties.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 1st day December 1983, that Petition No. 78-115(A) the petition of DELRAY FARMERS MARKET, INC., A FLORIDA CORPORATION BY Warren Newell, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 78-115, TO INCLUDE A NURSERY AND GREENHOUSE on Lots 1, 2, 3, 4 and the West 35 feet of Lot 5, Block 8, Highland Trailer-Park, in Section 13, Township 46 South, Range 4<sup>th</sup> East, as recorded in Plat Book 24, Page 213. Less the South 28.25 feet thereof and Less the North 80 feet thereof. Said property located on the northside of Atlantic Avenue (S.R. 806), approximately 300 feet

west of Barwich Road in a CG-General Commercial District was approved as advertised Subject to the following conditions:

1. **The development shall retain 85% of the stormwater runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.**
2. **Developer shall contribute Three Hundred and Seventy-Five Dollars (\$375.00) toward the cost of meeting this project's direct and identifiable impact, to be paid prior to site plan certification.**
3. **Prior to certification, the Site Plan shall be amended to reflect the following:**
  - a) **a minimum building setback of twenty-five (25) feet measured from the north property line.**
  - b) **at least required parking, handicapped and loading spaces.**

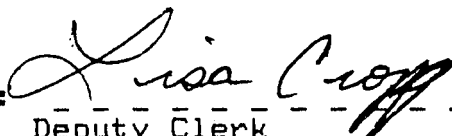
Commissioner Wilken, moved for approval of the petition. The motion was seconded by Commissioner Koehler, and upon being put to a vote, the vote was as follows:

Peggy E. Evatt, <b>Chairman</b>	--	AYE
Ken Spi <b>llias, Vice Chairman</b>	--	ABSENT
<b>Dennis P. Koehler</b> , Member	--	AYE
Dorothy W <b>i l ken</b> , Member	--	AYE
<b>Bi ll Eai ley</b> , Member	--	ABSENT

The foregoing resolution was **declared** duly passed and adopted **this 13th day of March, 1984**, confirming action of 1st December\* 1983.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:  Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
County Attorney