

RESOLUTION NO. R-84-338

RESOLUTION APPROVING ZONING PETITION 81-67 (A), Rezoning

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-E: have been satisfied; and

WHEREAS, Petition No. 81-67(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on ~~1st~~ ~~Dec~~ember 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 petitioner agreed that the development shall retain onsite 85% of the stormwater runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division; and

WHEREAS, the developer agreed that he shall construct a left turn lane, North approach and a right turn lane, South approach on Hager Ranch Road at the project's entrance road concurrent with onsite paving and drainage improvements pursuant to a permit to be issued by the office of the County Engineer; and

WHEREAS, the petitioner agreed that he shall take reasonable precautions during the development of this property to insure that fugitive particulates from this project do not become a nuisance to neighboring properties; and

WHEREAS, the petitioner agreed that he shall take necessary measures during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters; and

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

1. The proposed rezoning is consistent with the requirements of the Comprehensive Plan and Zoning Code.

2. The proposed rezoning would not have any significant negative impacts upon adjoining properties provided adequate and safe access can be provided.

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. 81-67 (A) the The petition of C & M NURSERIES By Paul G. Parker, Agent, for the REZONING, FROM RT-RESIDENTIAL TRANSITIONAL DISTRICT TO CG-GENERAL COMMERCIAL DISTRICT on

the North 139 feet of the East 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 16, Township 46 South, Range 42 East, Less the East 20 feet thereof. Said property located on the west side of Hagen Road, approximately .1 mile north of Atlantic Avenue (S. R. 806) was approved as advertised with voluntary commitments.

Commissioner Koehler, 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	--	AYE
Ken Spi 11 ias, Vice Chairman	--	ABSENT
Dennis P. Koehler, Member	--	AYE
Dorothy .Wi 1 ken, Member	--	AYE
Bi 11 Bailey, Member	--	ABSENT

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

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DLJNKLE, CLERK

BY:  Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

 County Attorney