

RESOLUTION NO. R-85-1876B

RESOLUTION APPROVING ZONING PETITION 80-88(B), Modification

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. 80-88(B) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 22nd August 1985; 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. With minor modification of the new site plan, this proposal will be consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 22nd of August 1985, that Petition No. 80-88(B) the petition of FRANCIS X. SCOTT to DELETE THE FOLLOWING SPECIAL CONDITION PLACED ON ZONING PETITION NO. 80-88(A) APPROVED JANUARY 24, 1985:

CONDITION NO. 11 STATES:

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11. The developer shall construct concurrent with on-site paving and drainage improvements, pursuant to a Paving and Drainage Permit issued from the office of the County Engineer, Manchester Lane (two (2) ten (10) foot lanes) from the project's entrance to Military Trail.

REQUEST: TO DELETE CONDITION NO. 11

and property located on the southeast corner of the intersection of

Military Trail (S.R. 809) and Tulane Drive, being bounded on the south by Manchester Lane in a CG-General Commercial District was approved as advertised subject to the following conditions:

1. CONDITION #11 WHICH PRESENTLY STATES:

"11. The developer shall construct concurrent with on-site paving and drainage improvements, pursuant to a Paving and Drainage Permit issued from the Office of the County Engineer, Manchester Lane (two (2) ten (10) foot lanes) from the project's entrance to Military Trail."

IS HEREBY AMENDED TO STATE:

"11. The property owner shall monetarily participate in any street improvement program for Manchester Lane."

2. Prior to site plan certification the site plan shall be amended to reflect the following;

- a) Relocation or removal of the two northeastern covered parking stalls.
- b) Twenty-five (25) foot minimum vehicular backing and maneuvering aisles.
- c) Location of the project's required twenty-five (25) parking spaces outside of the service bay area beneath the structure, or delineate "customer only" parking stalls beneath the structure.

3. The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.

Commissioner Spillias, 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:

Ken Adams, Chairman	--	ABSENT
Karen T. Marcus, Vice Chairman	--	AYE
Kenneth Spillias, Member	--	AYE
Jerry L. Owens, Member	--	ABSENT
Dorothy Wilken, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 26<sup>th</sup> day of NOVEMBER 1985, confirming action of the 22nd August 1985.

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PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

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BY: *[Signature]*  
Deputy Clerk

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APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

FILED THIS..... DAY OF  
NOV 26 1985..... 19.....  
AND RECORDED IN