

RESOLUTION NO. R- 87-1097

RESOLUTION RPPROVING ZONING PETITION 85-145(A):
Modification of Commission Requirements

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. 85-145(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on February 26, 1987 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. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BORRD OF COUNTY COMMISSIONERS OF PRLM BERCH COUNTY, FLORIDR, that: Petition No. 85-145(A), the petition of PLRNTRTION PLAZA RSSOCIRTES, By Dennis P. Koehler, Attorney, for a MODIFICRTION OF COMMISSION REQUIREMENTS TO RMEND THE FOLLOWING CONDITION PLRCED ON ZONING PETITION NO. 85-145, RPPROVED DECEMBER 30, 1985:

CONDITION NO. 13 WHICH PRESENTLY STRTES:

"13. The property owner shall construct:

- a) Dale Road from Military Trail east to Kirk Road (This construction shall be to local street standards including appropriate drainage and a minimum 2-10 foot travel lanes), concurrent with or immediately following installation of sewer lines on Dale Road by the Village of Palm Springs, and surety acceptable to the County Attorney's Office for this construction shall be posted prior to October 1, 1986,
- b) Right turn lane, west approach on Dale Road at project's entrance road

all concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the Office of the County Engineer. "

REQUEST CONDITION NO. 13 TO READ:

"13. The property owner shall construct:

- a) Dale Road from Military Trail east to Donald Road (this construction shall be to local street standards including appropriate drainage and a minimum 2-10 foot travel lanes).
- b) Right turn lane, west approach on Dale Road at project entrance road.

all concurrent with onsite paving and drainage improvements

pursuant to a paving and drainage permit issued from the Office of the County Engineer."

The property located on the east side of Military Trail (SR 809), approximately 250 feet north of Park Rvenue in a CG-General Commercial Zoning District was approved as advertised subject to the following conditions:

- 1 Petitioner shall comply with all conditions of previous approvals unless expressly modified herein.
- 2 The Petitioner proposes to modify Condition No. 13 of Petition No. 85-145 which states:

"13. The property owner shall construct:

- a) Dale Road from Military Trail east to Kirk Road (this construction shall be to local street standards including appropriate drainage and a minimum 2-10 foot travel lanes) concurrent with or immediately following installation of sewer lines on Dale Road by the Village of Palm Spring and surety acceptable to the County Attorney's office for this construction shall be posted prior to October 1, 1986.
- b) Right turn lane, west approach on Dale Road at the project's entrance road, all concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer."

is hereby amended to state:

"13. The property owner shall construct :

- a) Dale Road from Donald Road east to Kirk Road, (This construction shall be to local street standards including appropriate drainage and a minimum 2-10 foot travel lanes). This construction shall be completed prior to October 1, 1987. Surety acceptable to the County Engineer shall be posted prior to the issuance of the Certificate of Occupancy for this shopping center. "
- b) Right turn lane, west approach on Dale Road at the project's entrance road, all concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer."

Commissioner Adams, moved for approval of the petition.

The motion was seconded by Commissioner Marcus, and upon being put to a vote, the vote was as follows:

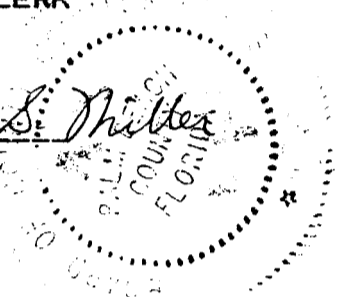
Carol Roberts -- Rye
Karen T. Marcus -- Rye
Dorothy Wilken -- Absent
Kenneth M. Adams -- Aye

The foregoing resolution was declared duly passed and adopted this 28th day of July, 1987 confirming action of February 26, 1987.

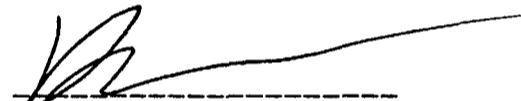
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Kathryn L. Miller
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY



County Attorney