

RESOLUTION NO. R-83-253

RESOLUTION APPROVING ZONING PETITION 82-181, 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. 82-181 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 30 December 1982 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 proposal would be in harmony and compatible with the present and future development of the area concerned.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 30th day of December 1982, that Petition No. 82-181 the petition of

CARMELLA B. HALL By Stanley Tucker, Attorney, for a SPECIAL EXCEPTION TO ALLOW A GASOLINE SERVICE STATION AND SELF-SERVICE CAR WASH on a portion of the Southwest 1/4 of Section 36, Township 43 South, Range 42 East; being more particularly described as follows: Beginning at the intersection of the North Right-of-Way line of Southern Boulevard and the East Right-of-Way line of Haverhill Road as they are now laid out and in use, thence North 01°22'26" East along said Easterly Right-of-Way of Haverhill Road a distance of 269.00 feet, thence South 88°46'32" East a distance of 208.00 feet, thence South 01°22'26" West a distance of 269.00 feet to a point on the North Right-of-Way of said Southern Boulevard, thence North 88°46'32" West along the said North Right-of-Way of Southern Boulevard a distance of 208.00 feet to the Point of Beginning. Said property located on the northeast corner of the intersection of Southern Boulevard (S.R. 80) and Haverhill Road in a CG-General Commercial District, was approved as advertised subject to the following conditions:

1. Developer shall, prior to site plan certification, contract for water service with the County Utilities Dept.
2. Prior to site plan certification, the site plan shall be amended to reflect preservation of the large seagrape tree.
3. The site plan shall be amended in order to eliminate or minimize the proposal's variances from base building line, setback, and access dimension requirements.
4. The property owner shall convey to Palm Beach County, within ninety (90) days of approval, 120 feet from the guardrail for additional right-of-way for Southern Boulevard. In addition, the property owner shall reserve an additional 100 feet for the ultimate right-of-way for Southern Boulevard, with an additional 15 feet to be reserved and sold to DOT when needed at today's value.
5. The developer shall construct, on Southern Boulevard, at the project's entrance road, a right turn lane east approach concurrent with a paving and drainage permit issued from the office of the County Engineer.
6. The developer shall contribute the sum of Eleven Thousand Seven Hundred and Fifty Dollars (\$11,750.00) toward the cost of meeting this project's direct and identifiable traffic impact, to be paid at the time of issuance of the building permit.
7. The property owner shall convey to Palm Beach County, within 90 days of this approval, an additional 14' for the ultimate right-of-way of Haverhill Road.

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

Peggy B. Evatt, Chairman	-	Aye
Ken Spillias, Vice Chairman	-	Aye
Dennis P. Koehler, Member	-	Aye
Dorothy Wilken, Member	-	Aye
Bill Bailey, Member	-	Nay

The foregoing resolution was declared duly passed and adopted this 15th day of February , 1983 , confirming action of 30 December 1982.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: Kathleen Linkler
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John Linkler
County Attorney

