

RESOLUTION NO. R-76- 127

RESOLUTION APPROVING ZONING PETITION

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, and Chapter 70-863, Laws of Florida, Special Acts of 1970, 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. 76-18 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 29 January 1976.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 29th day of January, 1976, that petition No. 76-18, the petition of W.G. LASSITER, JR., ET AL for the REZONING, FROM RS-RESIDENTIAL SINGLE FAMILY DISTRICT TO CG-GENERAL COMMERCIAL DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A LARGE SCALE COMMUNITY PLANNED COMMERCIAL DEVELOPMENT INCLUDING FINANCIAL INSTITUTIONS AND A DINNER THEATRE on a parcel of land in Section 6, Township 45 South, Range 43 East; said parcel of land being specifically described as follows: begin at a point 33.00 feet West of the East line of said Section 6 and 40.00 feet South of the North line of said Section 6; thence, bear South 00° 10' 40" West, along a line parallel to and 33.00 feet West of, as measured at right angles to, the East line of said Section 6, a distance of 1083.59 feet; thence, North 89° 55' 30" West, along a line parallel to the North line of said

Section, a distance of ,603.00 feet; thence, South 00° 10' 40" West, along a line parallel to the East line of said Section, a distance of 258.79 feet to a point on the East right-of-way line of Congress Avenue; said point being on a curve concave to the Northeast, having a radius of 18'60.08 feet and a central angle of 48° 29' 49", according to the right-of-way map of Congress Avenue, as recorded in Road Book 2, page 135; thence, Northerly, along the arc of said curve and said East right-of-way line, a distance of 1574.43 feet to a point 40.00 feet South of, as measured at right angles to, the North line of said Section; said point being on the South right-of-way line of Lake Worth Drainage District Lateral No. 6; thence, South 89° 55' 30" East, along a line parallel to and 40.00 feet South of, as measured at right angles to, the North line of said Section, a distance of 1335.04 feet to the Point of Beginning; containing 30.152 acres. Said property located on the east side of Congress Avenue, and on the west side of Congress Road, approximately 160 feet south of Lantana Road, was approved as advertised, subject to the following special conditions:

1. Developer shall construct the following at the intersection of Lantana Road and Congress Avenue:
 - a) Dual left turn lane, south approach
 - b) Right turn lane, west approach.
2. Developer shall construct the following at the intersection of the access Road and Lantana Road:
 - a) Right turn lane, west approach
 - b) Left turn lane, east approach
 - c) Right and left turn lanes, south approach.
3. Developer shall contribute his fair share, based on traffic volume, toward the construction of the following at the intersection of Old Congress Road and Lantana Road:
 - a) Dual left turn lane, east approach
 - b) Right turn lane, west approach and south approach
 - c) Traffic signal, if warranted, as determined by the County Engineer.
4. Developer shall construct right turn lanes on Old Congress Road and both points of access to the Shopping Center, as warranted.

5. Developer shall construct the following at both points of access along Congress Avenue:
 - a) Right turn lane, south approach .
 - b) Dual left turn lane, north approach
 - c) Four (4) lane entrances
 - d) Traffic signals when warranted, as determined by the County Engineer, with cost to be shared with future development across the street.
6. Developer shall convey to Palm Beach County, twenty (20) feet or less, for the Ultimate right-of-way for Congress Avenue.
7. All the construction of required improvements listed above shall be phased as warranted by the development of the Shopping Center, and directed by the sole determination of the County Engineer.
8. Developer shall revise the drainage design, giving consideration to water quality as well as quantity.
9. Owners shall execute an "Aviation and Clearance Easement" as required by the Departments of Airports.

Commissioner Johnson , moved for approval of the petition,

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

E.W. Weaver	Yes
Lake Lytal	Yes
Robert F. Culpepper	Yes
Robert C. Johnson	Yes
William Medlen	Yes

The foregoing resolution was declared duly passed and adopted this 10th day of February , 1976, confirming action of 29 January 1976.

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

Wm. H. Dell
COUNN ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By *John B. Dunkle*
Deputy Clerk

