

RESOLUTION NO. R-76- 1169

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, 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. 76-171 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 2 December, 1976.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 2^d day of December, that petition No. 76-171 the petition of ARVIDA CORPORATION by William R. Boose, Attorney, for the REZONING FROM AG-AGRICULTURAL DISTRICT TO CSSPECIALIZED COMMERCIAL DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED OFFICE-BUSINESS PARK INCLUDING BUT NOT LIMITED TO GENERAL OFFICES, FUNERAL HOME AND CREMATORY on a parcel of land lying in Section 23, Township 47 South, Range 42 East, being more particularly described as follows: commencing at the Northeast corner of said Section 23, thence South 89° 30' 16" West, along the North line thereof, a distance of 364.63 feet to a point on the Westerly Rightof-Way line of Military Trail extension (S.R. 809) as recorded in Road Plat Book 4, Pages 139 to 142, said point being further described as being on the arc of a circular curve to the right, whose radius point bears North 53° 16' 28" West from the last described point, thence Southerly and Westerly, along the arc of said curve, having a radius of 1577.02 feet, an arc distance of 177.49 feet to the South line of a Florida Power E Light Co. easement as recorded in Official

Record Book 1267, Page 2567; thence South $89^{\circ} 30' 16''$ West, along said South line of said Florida Power E Light Co., easement, being parallel with and 135.00 feet South of, the North line of said Section 23, a distance of 890.83 Feet to the Point of Beginning of this description; said point being further described as being on the arc of a circular curve to the right, whose radius point bears North $65^{\circ} 10' 46''$ West from the last described point; thence Southerly and Westerly, along the arc of said curve, having a radius of 320.85 feet, an arc distance of 217.96 feet to the Point of Tangency; thence South $63^{\circ} 44' 36''$ West, a distance of 160.29 feet to the Point of Curvature of a circular curve to the left; thence Southerly and Westerly, along the arc of said curve, having a radius of 242.36 feet, an arc distance of 172.04 feet to the Point of Tangency; thence South $23^{\circ} 04' 17''$ West, a distance of 83.99 feet; thence South $64^{\circ} 33' 43''$ West, a distance of 33.12 feet to the intersection with the arc of a circular curve to the left, whose radius point bears South $16^{\circ} 03' 09''$ West from the last described point; thence Westerly, along the arc of said curve, having a radius of 506.92 feet, an arc distance of 145.56 feet to the Point of Tangency; thence South $89^{\circ} 36' 01''$ West, a distance of 355.29 feet to the Point of Curvature of a circular curve to the right; thence Westerly and Northerly, along the arc of said curve, having a radius of 150.00 feet, an arc distance of 235.62 feet to the Point of Tangency, said Point being further described as being on the East Right-of-way line of Old State Road No. 808 as recorded in Official Record Book 1737, Page 200; thence North $00^{\circ} 23' 59''$ West, along said East Right-of-way line, a distance of 261.91 feet to the South line of said Florida Power E Light Co. easement; thence North $89^{\circ} 30' 16''$ East, along said South line a distance of 1123.50 feet to the Point of Beginning of this description. Said property located on the east side of Butts Road (S.R. 808) approximately 75 feet south of LWDD Canal L46, was approved as advertised subject to the following special conditions:

1. Developer shall be required to plat the subject property.

2. Developer shall obtain drainage easement through the adjacent land in Petition NO. 76-170 to provide legal positive outfall to Lake Worth Drainage District Canal E-3.

3. Developer shall install a traffic signal at the intersection of Military Trail and Boca West Road (relocated) to accommodate traffic volume generated by the Regional Shopping Center and the subject development, when warranted, by traffic volume as determined by the County Engineer.

4. Developer shall construct at the intersection of Military Trail and Boca West Road (relocated):

- a) Left turn lane, south approach
- b) Right turn lane, north approach when warranted
- c) Right turn lane, west approach, when warranted.

5. Developer shall convey to Palm Beach County within ninety (90) days from the approval of the Special Exception Site Plan, ninety (90) feet of right-of-way for Boca West Road (relocated).

6. Developer shall construct the access road on the east side of the property in conjunction with the Funeral Home.

7. Developer shall construct two (2) lanes of Boca West Road (relocated) with County participation of a compacted base and wearing surface between Military Trail and Boca West Road. Palm Beach County's participation shall be limited to \$10,500.00, any additional expense shall be paid by the Petitioner.

8. The County agrees to accept the petition to abandon Boca West Road from the present intersection with Military Trail north the the point of relocation, provided that the petition for abandonment complies with all applicable laws and ordinances. The County further agrees to process the petition in a timely manner.

9. Petitioner shall seek a binding letter of determination from the Division of State Planning, that Petition No. 76-170, 76-171 and 76-172 either singularly or collectively do not constitute a Development of Regional Impact (DRI). In the event this determination is not made, that the Petitioner agrees to reprocess the above numbered petitions according to those procedures applicable to Developments of Regional Impact.

Commissioner Evatt, moved for approval of the petition.

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

Peggy B. Evatt	Yes
Lake Lytal	Yes
Dennis P. Koehler	Yes
William Medlen	Absent
Bill Bailey	Yes

The foregoing resolution was declared duly passed and adopted
this 14th day of December, 1976, confirming action
of 2 December, 1976.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By *Quirk Van Allen*
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

Lawrence D. C.
COUNTY ATTORNEY

