

RESOLUTION NO. R-78- 726

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. 78-78 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 30 May 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 30 day of May, 1978, that petition No. 78-78 the petition of LOUIS PADULA, by Alan Ciklin, Attorney, for the REZONING, FROM CN-NEIGHBORHOOD COMMERCIAL DISTRICT TO CG-GENERAL COMMERCIAL DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT AND AN ON-SITE WATER TREATMENT PLANT on a part of Lot 20, Block 1, as shown on the Plat of Delray Shores, in Section 7, Township 46 South, Range 43 East, as recorded in Plat Book 24 on pages 232 and 233, said point being more particularly described as follows: Commencing at the Northeast corner of Lot 1 of said Block 1, Delray Shores, bear Easterly and Southeasterly, along the arc of a curve concave to the Southwest and having a radius of 1569.66 feet, a chord bearing of South, 87°55'16" East (assumed) and a chord length of 128.45 feet, said curve being the South right-of-way line of Lake Ida Road, as shown on said Plat of Delray Shores, a distance of 128.49 feet along said arc to the Point of Beginning; thence continue Southeasterly, along the arc of said curve, said

arc having a chord bearing of South 75°00'02" East, and a chord length of 576.02 feet, a distance of 579.30 feet to the point of tangency of said curve; thence bear South 64°25'49" East, a distance of 63.24 feet to a point at the intersection of the said South right-of-way line of Lake Ida Road and the Westerly right-of-way line of Congress Avenue; thence bear South 18°23'06" West, along said Westerly right-of-way line of Congress Avenue, a distance of 682.36 feet to a point; thence bear North 88°24'49" West, a distance of 394.64 feet to a point; thence bear North 0°15'49" West, a distance of 812.98 feet to the Point of Beginning. Said property located on the southwest corner of the intersection of Lake Ida Road and Congress Avenue, was approved as advertised subject to the following special conditions:

1. Within ninety (90) days of the Special Exception approval, the petitioner shall convey to Palm Beach County an additional seven (7) feet of right-of-way for Congress Avenue.
2. Within ninety (90) days of the Special Exception approval, the petitioner shall convey to Palm Beach County an additional fourteen (14) feet of right-of-way for Lake Ida Road.
3. Within ninety (90) days of the Special Exception approval, the petitioner shall convey to Palm Beach County the twenty-five (25) foot safe corner lot at the southwest corner of Lake Ida Road and Congress Avenue.
4. Petitioner shall relocate the shopping center north entrance on Congress Avenue northerly a distance of three hundred fifty-seven (357) feet from the centerline of Lake Ida Road.
5. Petitioner shall construct a left turn lane, south approach, on Congress Avenue at the shopping center's south entrance.
6. Petitioner shall construct a left turn lane, south approach, on Congress Avenue at the shopping center's north entrance.
7. Petitioner shall construct a left turn lane, east approach, on Lake Ida Road at the shopping center's east entrance.
8. No median opening shall be allowed at the project's north entrance when Congress Avenue is reconstructed and a median is installed.
9. Petitioner shall contribute eighty thousand dollars (\$80,000.00) as a "Fair Share" contribution toward reducing the traffic impact of this project. The petitioner shall pay fifty percent (50%), or forty thousand dollars (\$40,000.00), prior to the issuance of a building permit; and the remaining fifty percent (50%), or forty thousand dollars (\$40,000.00), shall be paid simultaneously with the issuance of a Certificate of Occupancy.

10. The first inch of storm water runoff shall be retained on site,

Commissioner Medlen, moved for approval of the petition.

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

Peggy Evatt, Chairman	-	Yes
Bill Bailey, Vice Chairman	-	Yes
Lake Lytal	-	Yes
William Medlen	-	Yes
Dennis Koehler	-	Yes

The foregoing resolution was declared duly passed and adopted this 13th day of June, 1978, confirming action of 30 May 1978.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Geetha Jan O'Hara*  
Deputy Clerk

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

*William Medlen*  
County Attorney

