

RESOLUTION NO. R-78- 1279

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. 78-220 **was** presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 25 September 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 25th day of September, 1978, that petition No. 78-220 the petition of SOUTHEAST BANKS TRUST COMPANY, N.A., by William R. Boose, III, Agent, for the REZONING, FROM AG-AGRICULTURAL, DISTRICT TO CG-GENERAL COMMERCIAL DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A LARGE SCALE COMMUNITY SHOPPING CENTER INCLUDING A FINANCIAL INSTITUTION WITH DRIVE-UP TELLER WINDOWS AND AUTO SERVICE STATION on a parcel of land being a portion of Tracts 97, 98 and 99, Block 77, Palm Beach Farms Company Plat No. 3, in Section 18, Township 47 South, Range 42 East, as recorded in Plat Book 2, pages 45 through 54 inclusive, being more particularly de'scribed as follows: From a railroad spike marking the intersection of the centerline of State Road No. 808 (a proposed 160 foot road right-of-way) with the East line of said Block 77, thence South along said East line, a distance of 53.00 feet to the existing Southerly right-of-way line of said State Road No, 808; thence West, along said line, a distance of 57.00 feet to the Point of Beginning; thence, South along the Westerly right-of-way line of Lyon's Road for 227.00 feet to a Point of Curvature; thence Southwesterly along a circular

to the right having a radius of 1380.64 feet and a central angle of 7°33'40" for an arc distance of 182.20 feet to a Point of Reverse Curvature; thence Southwesterly along a circular curve to the left having a radius of 1494.64 feet and a central angle of 7°33'40" for an arc distance of 197.24 feet to a Point of Tangency; thence South for 34.80 feet; thence West for 748.40 feet; thence North 43°45'00" West for 212.00 feet; thence North for 487.00 feet; thence East-, along the existing Southerly right-of-way line of State Road No. 808, for 920.00 feet to the Point of Beginning. Said property located on the south side of Glades Road (S.R. 808), approximately .8 mile east of S.R. 7 (U.S. 441), was approved as advertised subject to the following conditions:

1. Within ninety (90) days of the Special Exception approval, petitioner shall convey to Palm Beach County eighty (80) feet from the centerline of Glades Road for the ultimate right-of-way.
2. Petitioner shall construct at the Glades Road entrance:
 - a. Left and right turn lanes, south approach.
 - b. Left turn lane, east approach.
 - c. Right turn lane, west approach.
3. At Glades Road and Lyons Road intersection, petitioner shall, when warranted:
 - a. Extend the left turn lane, east approach.
 - b. Construct a left turn lane, west approach.
4. Petitioner shall be required to obtain a separate site plan approval from the Site Plan Review Committee for the financial institution and drive-up teller windows after the tenant of said institution has been determined.
5. Petitioner shall redesign the common entrance road with the Boca Beau Monde Planned Unit Development to meet the minimum requirements of the County Engineer.
6. Petitioner shall contribute one hundred thirty-two thousand six hundred eighty-seven dollars (\$132,687.00) toward the cost of meeting this project's direct and identifiable traffic impact, to be paid at the time of issuance of a building permit(s). However, if an ordinance dealing with this subject matter is adopted, this condition will be superseded by that ordinance; except that, regardless of the form or status of any ordinance, this development shall be required to provide as a minimum the above one hundred thirty-two thousand six hundred eighty-seven (\$132,687.00) toward alleviating some of its traffic impacts.
7. Petitioner shall landscape the subject site as depicted on the Site Plan, Exhibit No.14, on file in the office of the Director, Department of Planning, Zoning E Building;.

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

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| Peggy Evatt, Chairman | - | Yes |
| Bill Bailey, Vice Chairman | - | Yes |
| Lake Lytal | - | Yes |
| William Medlen | - | No |
| Dennis Koehler | - | No |

The foregoing resolution was declared duly passed and adopted this 10th day of October, 1978, confirming action of 25 September 1978.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

Bv: [Signature]
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
County Attorney