

RESOLUTION NO. R-79-704

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. 79-108 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24 May 1979.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 24th day of May, 1979, that petition No. 79-108 the petition of LOLA M. HAAS, by R. Carroll Peacock, Agent, for the FURTHER SPECIAL EXCEPTION TO ALLOW A LARGE SCALE PROFESSIONAL OFFICE COMPLEX IN EXCESS OF 50,000 SQUARE FEET OF TOTAL FLOOR AREA, INCLUDING A FINANCIAL INSTITUTION WITH DRIVE-UP TELLER WINDOWS on a parcel of land in Government Lot 6, Section 31, Township 40 South, Range 43 East, more particularly described as follows: commence at the intersection of the centerline of State Road No. 5 and the South line of Township 40 South, Range 43 East, which is a point 314.2 feet East of U.S.G.L.O. meander corner, survey of 1922; thence at an angle from the South line of the said Township from West to Northwest  $58^{\circ}43'40''$ , run Northwesterly 352.24 feet; thence turn an angle from Southeast through West to Northwest  $147^{\circ}40'$  run 329.03 feet to a pipe on the Southerly right-of-way of State Road No. 5; thence continue on same Northwesterly course and along the Southerly right-of-way line 800 feet to a concrete

monument, said monument being a Point of Beginning of the herein described parcel; thence continue Northwesterly on the same course and along the Southerly right-of-way line 371.7 feet to a Point of Curvature; thence along a curve to the right, through a Central Angle of  $12^{\circ}33'33''$  having a radius of 606.67 feet an arc distance of 132.98 feet to a point on a curve, said point also being on the East right-of-way of U.S. No. 1; thence Southerly along said Easterly right-of-way line of U.S. No. 1, a distance of 627.66 feet to a concrete monument; thence continue on the same course for a distance of 12 feet, more or less to the waters edge of the Intracoastal Waterway; thence Southeasterly along the waters edge 385 feet, more or less to a point due South of the Point of Beginning; thence North 11 feet, more or less, to a concrete monument; thence continue on same course, a distance of 272 feet to the Point of Beginning. Said property located at the southeast corner of the intersection of Ocean Boulevard (S.R. A-1-A) and U.S. No. 1, 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 forty (40) feet from the centerline of S.R. A-1-A for its ultimate right-of-way.
2. Petitioner shall construct a left turn lane, south approach, on S.R. A-1-A for its entrance.
3. Petitioner shall construct a median opening and a left turn lane, north approach, on U.S. No. 1 at the project's entrance, to be approved by the County Engineer.
4. Petitioner shall construct a bypass lane at the drive-up teller windows.
5. Petitioner shall submit construction plans of the intersection of S.R. A-1-A and U.S. No. 1 for approval by the County Engineer.
6. Petitioner shall contribute Twenty-one Thousand Dollars (\$21,000.00) 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). The petitioner, at his option, may elect to construct in kind improvements to the arterial roadway system to include, but not to be limited to, the construction of an additional lane on S.R. A-1-A, from the project's southerly property limits to the intersection of U.S. No. 1. 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 Twenty-one Thousand Dollars (\$21,000.00) towards alleviating some of its traffic impacts.

7. Petitioner shall provide a minimum fifty (50) foot buffer along the south property line to the professional office building and shall provide a minimum thirty (30) foot buffer along the south property line to the off-street parking area. The location of the restaurant decks within said buffer area shall be subject to the approval of the Department of Environmental Regulation.
8. Petitioner shall coordinate with the Palm Beach County Urban Forester to preserve the existing trees and vegetation on the subject site.

Commissioner Foster, 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:

Bill Bailey, Chairman	-	Yes
Dennis Koehler, Vice Chairman	-	Yes
Peggy Evatt, Member	-	No
Frank Foster, Member	-	Yes
Norman Gregory, Member	-	No

The foregoing resolution was declared duly passed and adopted this 5th day of June, 1979, confirming action of 24 May 1979.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *[Signature]*  
Deputy Clerk

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

*[Signature]*  
County Attorney

