

RESOLUTION NO. R- 81-1377

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. 81-170 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24 September 1981; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various county review agencies and the recommendations of the Planning Commission; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The proposal would be in harmony and compatible with the present and future development of the area concerned

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 24th day of September, that Petition No. 81-170 the petition of ALAN DETERT by Warren H. Newell, Agent, for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED OFFICE BUSINESS PARK on a parcel of land lying in Section 22, Township 47 South, Range 42 East, being more particularly described as follows: Bounded on the

East by the East right-of-way line of Old Powerline Road, as recorded in O.R. Book 2628, page 1884; bounded on the West by the West line of said Section 22; bounded on the North by the Southerly line of a 80 foot road right-of-way, as shown on the plat of **Boca** Grove Addition, Plat Book 39, page 194, also as shown in O.R. Book 2715, page 1050, and by the said Southerly right-of-way line of the 80 foot road as shown on the plat of **Boca** Grove, Plat Book 32, pages 12 and 13, said line being more particularly described as follows: Commencing at the Northwest corner of said Section 22; thence South $00^{\circ}10'25''$ West, along said West line, a distance of 1358.00 feet to the Point of Beginning; thence North $89^{\circ}37'44''$ East, a distance of 36.95 feet to the Point of Curvature of a Circular Curve to the right; thence Easterly and Southerly, along the arc of said curve, having a radius of 306.34 feet, an arc distance of 172.33 feet to the Point of Tangency; thence South $58^{\circ}09'36''$ East, a distance of 173.95 feet; thence South $13^{\circ}57'22''$ East, a distance of 34.86 feet to the Point of Terminus; bounded on the South by the Northerly line of a 60 foot ingress and egress easement, recorded in O.R. Book 2628, page 1877, said line being further described as follows: Commencing at the Northwest corner of said Section 22; thence South $00^{\circ}10'25''$ West, along the West line of said Section 22, a distance of 1956.00 feet to the Point of Beginning; thence South $89^{\circ}49'35''$ East, a distance of 15.05 feet to the Point of Curvature of a Circular Curve to the right; thence Easterly and Southerly along the arc of said curve having a radius of 331.64 feet, an arc distance of 108.95 feet to the Point of Tangency; thence South $71^{\circ}00'11''$ East, a distance of 2.54 feet; thence North $63^{\circ}57'10''$ East, a distance of 35.38 feet to the Point of Beginning of this description; together with: a parcel of land lying in Section 22, Township 47 South, Range 42 East, being more particularly described as follows: Commencing at the Northwest corner of Section 22, Township 47 South, Range 42 East; thence South $00^{\circ}10'25''$ West, 1358.00 feet along the West line of Section 22 to the Point of Beginning of the herein described parcel; thence continue South $00^{\circ}10'25''$ West, 598.00 feet; thence South $89^{\circ}49'35''$ East, 15.05 feet to a tangent curve concave Southerly, having a central angle of $18^{\circ}49'24''$ and a radius of 331.64 feet; thence 108.95 feet Easterly along

the arc of said curve to a tangent line; thence South $71^{\circ}00'11''$ East, 2.54 feet along said tangent line; thence North $63^{\circ}57'10''$ East, 35.38 feet to a nontangent curve, being concave Easterly, having a central angle of $00^{\circ}05'19''$, a radius of 2271.64 feet and tangent bearing of North $18^{\circ}54'30''$ East; thence Northeasterly 3.51 feet along the arc of said curve to a tangent line; thence North $18^{\circ}59'49''$ East, 17.45 to a tangent curve concave Easterly having a central angle of $11^{\circ}06'53''$, and radius of 1946.47 feet; thence Northeasterly 377.59 feet along the arc of said curve to a tangent line; thence North $30^{\circ}06'42''$ East, 72.18 feet along said line to a tangent curve concave Easterly, having a central angle of $10^{\circ}08'09''$ and a radius of 2313.88 feet; thence Northerly 5.49 feet along the arc of said curve to a non tangent line; thence North $13^{\circ}57'22''$ West, 34.86 feet along said line; thence North $58^{\circ}09'36''$ West, 173.95 feet to a tangent curve concave to the South, having a central angle of $32^{\circ}12'39''$ and radius of 306.54 feet; thence Westerly, along the arc of said curve 172.33 feet to a tangent line; thence South $89^{\circ}37'44''$ West, 36.95 feet, along said line to the Point of Beginning; LESS THE FOLLOWING DESCRIBED PARCEL; lying in Section 22, Township 47 South, Range 42 East, being more particularly described as follows: Bounded on the East by the East right-of-way line of Old Powerline Road, as recorded in O.R. Book 2628, page 1884, bounded on the West by the West line of said Section 22; bounded on the north by the Southerly line of a 80 foot road right-of-way, as shown on the plat of Boca Grove Addition, Plat Book 39, page 194, also as shown in O.R. Book 2715, page 1050, and by the said Southerly right-of-way line of the 80 foot road as shown on the plat of Boca Grove, Plat Book 32, pages 12 and 13, said line being more particularly described as follows: Commencing at the Northwest corner of said Section 22; thence South $00^{\circ}10'25''$ West, along said West line, a distance of 1358.00 feet to the Point of Beginning; thence North $89^{\circ}37'44''$ East, a distance of 36.95 feet to the Point of Curvature of a circular curve to the right; thence Easterly and Southerly, along the arc of said curve, having a radius of 306.34 feet, an arc distance of 172.33 feet to the Point of

Tangency; thence South 58°09'36" East, a distance of 173.95 feet; thence South 13°57'22" East, a distance of 34.86 feet to the Point of Terminus; bounded on the South by the Northerly line of a 60 foot ingress and egress easement, recorded in O.R. Book 2628, page 1877, said line being further described as follows: Commencing at the Northwest corner of said Section 22; thence South 00°10'25" West, along the West line of said Section 22, a distance of 1956.00 feet to the Point of Beginning; thence South 89°49'35" East, a distance of 15.05 feet to the Point of Curvature of a Circular Curve to the right; thence Easterly and Southerly along the arc of said curve having a radius of 331.64 feet, an arc distance of 108.95 feet to the Point of Tangency; thence South 71°00'11" East, a distance of 2.54 feet; thence North 63°57'10" East, a distance of 35.38 feet to the Point of Beginning of this description. Said property located on the west side of Powerline Road (Jog Road), approximately 450 feet north of L.W.D.D. Lateral Canal No, 47, was approved as advertised subject to the following conditions:

1. Petitioner shall only be permitted one turnout onto Sunstream Boulevard a minimum distance of 300' west of **Jog/Powerline** Road.
2. Petitioner shall provide paved access on Sunstream Boulevard from **Jog/Powerline** Road to the project's entrance road prior to the issuance of a Certificate of Occupancy.
3. Petitioner shall not be permitted a median opening on **Jog/Powerline** Road.
4. Petitioner shall contribute Thirteen Thousand One Hundred Dollars (\$13,100.00) toward the cost of meeting this project's direct and identifiable traffic impact to be paid at the time of issuance of the building permits.
5. The Site Plan shall be amended to reflect loading bay dimensions and utility easement releases for landscaping and paving in easements.
6. A 6 ft. wall is required along the residentially designated area to the west.

Commissioner **Koehler** , 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:

Frank Foster, Chairman	AYE
Norman Gregory, Vice Chairman -	ABSENT
Bill Bailey, Member	AYE
Dennis Koehler, Member	AYE
Peggy B. Evatt, Member	ABSENT

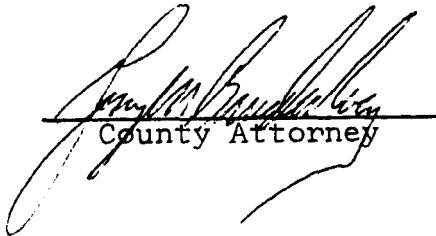
The foregoing resolution was declared duly passed and adopted
this 27th day of October, confirming action of
24 September 1981.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

BY- _____ & _____ / _____ &
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney

