

ORIGINAL

RESOLUTION NO. R-83-982

RESOLUTION APPROVING ZONING PETITION 81-196 (A), Special Exception

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. 81-196 (A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 26th May 1983; 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 proposed Special Exception is consistent with the Land Use Plan and Mandatory Performance Standards of the Comprehensive Plan.
2. The addition of a financial institution to this previously approved business-office park is consistent with that approval and compatible with the surrounding area.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 26th day May 1983, that Petition No. 81-196 (A) the petition of CONCEPT II DEVELOPMENT CORPORATION By George A. Ray, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A PLANNED OFFICE BUSINESS PARK, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 81-196 TO INCLUDE A FINANCIAL INSTITUTION WITH DRIVE-UP TELLER WINDOWS on a parcel of land, being a portion of Tracts 35 and 36, according to the Plat of Model Land Company's Subdivision of Section 20, Township 44 South, Range 43 East, as recorded in Plat Book 5, at Page 79, being more particularly described as follows:

Commencing at the intersection of the West line of Tract 36 according to said plat and the present South right-of-way line of 10th Avenue North as shown on Road Plat Book 3, at Page 147; thence South  $87^{\circ}44'21''$  East along the South right-of-way line of 10th Avenue North (the South right-of-way line of 10th Avenue North is assumed to bear South  $87^{\circ}44'21''$  East and all other bearings are relative thereto) a distance of 26.94 feet to a point; thence South  $01^{\circ}49'19''$  West a distance of 20.00 feet to the Point of Beginning of the following described parcel: Thence South  $87^{\circ}44'21''$  East parallel to said South right-of-way line of 10th Avenue North a distance of 220.0 feet to a point; thence South  $01^{\circ}49'19''$  West a distance of 20.00 feet to a point; thence South  $87^{\circ}44'21''$  East a distance of 20.00 feet to a point; thence South  $01^{\circ}49'19''$  West a distance of 127.00 feet to a point; thence North  $87^{\circ}44'21''$  West a distance of 14.10 feet to a point; thence South  $02^{\circ}15'39''$  West a distance of 148.01 feet to a point; thence South  $87^{\circ}44'21''$  East a distance of 152.73 feet to a point; thence South  $01^{\circ}49'19''$  West a distance of 65.00 feet to a point; thence South  $87^{\circ}44'21''$  East a distance of 2.50 feet to a point; thence South  $01^{\circ}49'19''$  West a distance of 45.00 feet to a point; thence North  $87^{\circ}44'21''$  West a distance of 175.00 feet to a point; thence North  $01^{\circ}49'19''$  East a distance of 20.00 feet to a point; thence North  $88^{\circ}10'41''$  West a distance of 45.00 feet to a point; thence North  $43^{\circ}15'15''$  West a distance of 108.96 feet to a point; thence North  $02^{\circ}15'39''$  East a distance of 20.00 feet to a point; thence North  $87^{\circ}44'21''$  West a distance of 148.00 feet to a point; thence North  $01^{\circ}49'19''$  East a distance of 20.00 feet to a point; thence North  $87^{\circ}44'21''$  West a distance of 20.00 feet to a point; thence North  $01^{\circ}49'19''$  East a distance of 122.00 feet to a point; thence South  $87^{\circ}44'21''$  East a distance of 20.00 feet to a point; thence North  $01^{\circ}49'19''$  East a distance of 20.00 feet to a point; thence South  $87^{\circ}44'21''$  East a distance of 45.00 feet to a point; thence North  $01^{\circ}49'19''$  East a distance of 107.00 feet to a point; thence South  $87^{\circ}44'21''$  East a distance of 20.00 feet to a point; thence North  $01^{\circ}49'19''$  East a distance of 20.00 feet to the Point of Beginning, together with a parcel of land, being a portion of Tracts 34 and 35, according to the Plat of Model Land Company's Subdivision of Section 20, Township 44 South, Range 43 East, as recorded in Plat

Book 5, at Page 79, being more particularly described as follows:  
Commencing at the intersection of the West line of Tract 36,  
according to said Plat and the present South right-of-way line of  
10th Avenue North as shown on Road Plat Book 3, at Page 147; thence  
South 87°44'21" East along the South right-of-way of 10th Avenue  
North (the South right-of-way line of 10th Avenue North is assumed to  
bear South 87°44'21" East and all other bearings are relative  
thereto) a distance of 351.96 feet to a point; thence departing from  
said right-of-way line South 01°49'19" West a distance of 20.00 feet  
to the Point of Beginning of the following described parcel; thence  
South 87°44'21" East parallel to the South right-of-way line of 10th  
Avenue North a distance of 220.00 feet to a point; thence South 01°  
49'19" West a distance of 20.00 feet to a point; thence South 87°  
44'21" East a distance of 20.00 feet to a point; thence South 01°  
49'19" West a distance of 365.01 feet to a point; thence North 87°  
44'21" West a distance of 20.00 feet to a point; thence South 01°  
49'19" West a distance of 20.00 feet to a point; thence North 87°  
44'21" West a distance of 165.02 feet to a point; thence North 01°  
49'19" West a distance of 45.00 feet to a point, thence North 87°  
44'21" West a distance of 2.50 feet to a point; thence North 01°  
49'19" East a distance of 65.00 feet to a point; thence North 87°  
44'21" West a distance of 59.19 feet to a point; thence North 02°  
15'39" East a distance of 148.01 feet to a point; thence North 87°  
44'21" West a distance of 14.43 feet to a point; thence North 01°  
49'19" East a distance of 127.00 feet to a point; thence South 87°  
44'21" East a distance of 20.00 feet to a point; thence North 01°  
49'19" East a distance of 20.00 feet to the Point of Beginning, and a  
parcel of land, being a portion of Tracts 34, 35 and 36, according to  
the Plat of Model Land Company's Subdivision, as recorded in Plat  
Book 5, at Page 79, being more particularly described as follows:  
Commencing at the intersection of the West line of Tract 36 according  
to said plat and the present South right-of-way line of 10th Avenue  
North as shown on Road Plat Book 3, at Page 147; thence South 87°  
44'21" East along the South right-of-way line of 10th Avenue North a  
distance of 596.95 feet to a point; thence South 01°49'19" West a  
distance of 430.01 feet to a point; thence North 87°44'21" West a  
distance of 766.22 feet to a point lying on the West line of said

Tract 36 and the Easterly right-of-way line of Lake Worth Drainage District Canal Number E-4; thence North 23°22'04" East along said right-of-way line and Tract line a distance of 460.92 feet to the Point of Beginning. Said property located on the southwest corner of the intersection of 10th Avenue South, approximately 220 feet west of Boutwell Road in a CS-Specialized Commercial District was approved as advertised subject to the following conditions:

1. Petitioner shall modify the existing striping to provide for a left turn lane, east approach, on 10th Avenue North at the project's entrance prior to the issuance of a Certificate of Occupancy.
2. The developer will take reasonable precautions during the development of this project to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties.
3. The developer will take necessary precautions to insure there will be no pollutant runoff from this project to adjacent or nearby surface waters.
4. Significant native vegetation on site shall be preserved.
5. Site plan shall reflect required parking, access and loading dimensions.
6. The development shall retain onsite 85% of the storm water runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.
7. The developer shall construct a right turn lane, east approach, on 10th Avenue North at Florida Mango Road, concurrent with a paving and drainage permit issued from the Office of the County Engineer, however in no event later than twelve (12) months from Special Exception approval. The construction shall include but not be limited to the relocation of the existing curb and gutter and the relocation of the existing sidewalk.
8. The developer shall contribute Eight Thousand and Sixty-Three Dollars (\$8,063.00) toward the cost of meeting this project's direct and identifiable impact, to be paid at the time of issuance of the building permit.

Credit for the impact fee based upon a certified cost estimate per the County Engineer's approval shall be applied toward Condition Number 7 above.

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

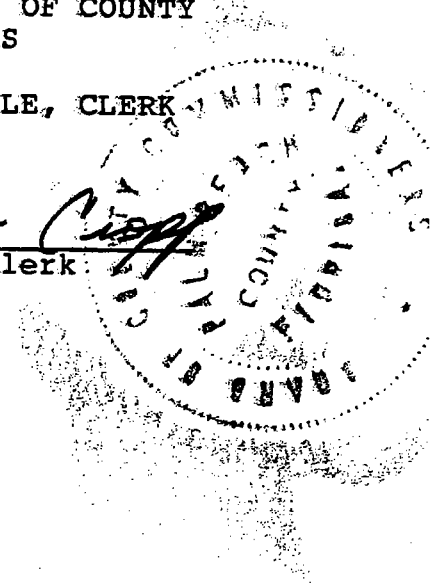
Peggy E. Evatt, Chairman -- AYE  
Ken Spillias, Vice Chairman -- AYE  
Dennis P. Koehler, Member -- ABSENT  
Dorothy Wilken, Member -- AYE  
Bill Bailey, Member -- ABSENT

The foregoing resolution was declared duly passed and adopted this 30th day of August, 1983, confirming action of 26th May 1983.

PALM BEACH COUNTY,  
FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Lisa Cropp  
Deputy Clerk:



APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

John Condit  
County Attorney