

RESOLUTION NO. R- 82-327

RESOLUTION APPROVING ZONING PETITION 81-219, 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. 81-219 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28 January 1982; 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 28th day of January, 1982, that Petition No. 81-219 the petition of FRED SCHWARTZ by Alan J. Ciklin, Attorney, for the FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT on a portion of Palm Beach Farms Co. Plat No. 8 of Section 30, Township 45 South, Range 43 East, as recorded in Plat Book 5, page

73, being more particularly described as follows: The Westerly 200 feet (as measured along the South property line) of the following described property: Commencing at the Northwest corner of said Section 30; thence South $89^{\circ}59'43''$ East along the North line of said Section 30, a distance of 657.83 feet to a point; said point also being the intersection of the North line of said Section 30, and the center line of a 30 foot roadway; thence South $1^{\circ}50'03''$ West along said centerline, a distance of 60.02 feet to a point on the South right-of-way L.W.D.D. Lateral No. 24, said point being the Point of Beginning; thence continue South $1^{\circ}50'03''$ West along said centerline a distance of 156.46 feet to a point on the North right-of-way line of State Road No. 804; thence South $89^{\circ}59'57''$ East along said North right-of-way line a distance of 658.27 feet to a point of intersection with the centerline of a 30 foot roadway; thence North $1^{\circ}42'07''$ East along said centerline, a distance of 156.40 feet to a point on the South right-of-way line of said L.W.D.D. Lateral No. 24; thence North $89^{\circ}59'43''$ West, along said South right-of-way line, being 60.0 feet South of, as measured at right angles to the North line of said Section 30, a distance of 657.91 feet to the Point of Beginning, together with Lot A (less the North 51 feet) and Lot B (less the right-of-way of S.R. 804) Block 15, and Lot A (less the North 51 feet) and Lot B (less the right-of-way of S.R. 804) Block 16 (less the West 15 feet) of said Palm Beach Farms Co. Plat No. 8, and a 30 foot abandoned road right-of-way lying between Blocks 14 and 15, of said Palm Beach Farms Co. Plat No. 8, said abandonment recorded in O.R. Book 3430, page 1689. Said property located on the northeast corner of the intersection of Boynton Road West (S.R. 804) and Lawrence Road, was approved as amended per the petitioner's request to include a REZONING, FROM AG-AGRICULTURAL DISTRICT TO CS-SPECIALIZED COMMERCIAL DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED OFFICE BUSINESS PARK, subject to the following conditions:

1. Petitioner shall convey to Palm Beach County within ninety (90) days of Special Exception approval sixty (60) feet from centerline for the ultimate right-of-way for Boynton West Road.
 - a. Petitioner shall extend the existing left turn lane, west approach, on Boynton West Road at Lawrence Road per the County Engineer's approval prior to the issuance of a Certificate of Occupancy.
 - b. Petitioner shall construct at the project's west entrance onto Boynton West Road prior to the issuance of a Certificate of Occupancy, a left turn lane, west approach.
 - c. Petitioner shall construct at the project's entrance and Lawrence Road a left turn lane, north approach, prior to the issuance of a Certificate of Occupancy.
 - d. Petitioner shall contribute Eighteen Thousand and Six Hundred Dollars (\$18,600.00) toward the cost of meeting this project's direct and identifiable traffic impact, which shall be **paid** on a pro-rata basis at the time of issuance of building permit(s). Said funds shall be applied toward the installation of signalization at the intersection of Boynton West Road and Lawrence Road.
2. The site plan shall be amended to conform to CS-Specialized Commercial zoning requirements.

Commissioner Koehler, 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:

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

The foregoing resolution was declared duly passed and adopted
this 30th day of March, 1982, confirming action of
28 January 1982.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Keith Van Orman*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John B. Bate
County Attorney

