

RESOLUTION **NO.** R- 87-99

RESOLUTION APPROVING ZONING PETITION 84-171(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. 84-171(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on July 24, 1986 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. With recommended Site Plan modifications, this proposal will be consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 27th day of January, 1987, that: Petition No. 84-171(A), the petition of SABRA/SVO PROPERTIES By David Dardashti, Agent, for a SPECIAL EXCEPTION TO REVISION THE SITE PLAN FOR A LARGE SCALE COMMUNITY SHOPPING CENTER IN EXCESS OF 50,000 SQUARE FEET OF TOTAL FLOOR AREA, INCLUDING A PLANNED COMMERCIAL DEVELOPMENT, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 84-171, TO ALLOW A REDESIGN OF THE SITE on a parcel of land situate in Section 26, Township 46 South, Range 42 East, being more particularly described

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

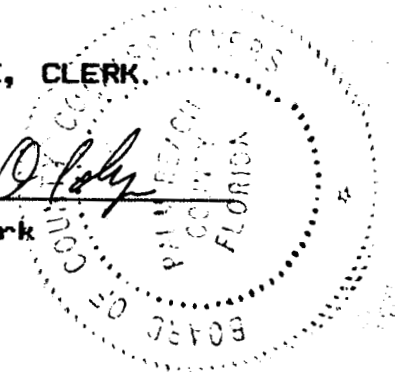
Karen T. Marcus, Chairman	--	AYE
Jerry L. Owens, Vice Chairman	--	AYE
Ken Spillias, Member	--	AYE
Dorothy Wilken, Member	--	AYE
Kenneth M. Adams, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 27th day of January, 1987 confirming action of July 24, 1986.


PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK.

BY: Barbara O'Leary  
Deputy Clerk



APPROVED AS TO FORM  
FIND LEGAL SUFFICIENCY

  
\_\_\_\_\_  
County Attorney

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BY ITS BOFIRD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK.

BY: *[Signature]*  
Deputy Clerk

APPROVED AS TO FORM  
FIND LEGFIL SUFFICIENCY

*[Signature]*  
County Attorney

as follows: The East 3/4 of the South 1/2 of the Northeast 1/4 of the Northeast 1/4 of said Section 26, Less the East 75.00 feet therefrom. Said property located on the west side of Military Trail (SR 809), approximately .1 mile south of Linton Boulevard (S.W. 12th Street) in a CG-General Commercial Zoning District was approved as advertised subject to the following conditions:

1. The developer shall preserve existing native vegetation (slash pine, palmetto, and associated species) into the project design. Areas of existing vegetation to be preserved shall be shown upon the approved development plan prior to master plan and/or site plan certification. These preservation areas shall receive appropriate protection from damage and disturbance during the site development and construction phase. The minimum protection shall include highlighting of preservation areas through the installation of stakes installed a maximum of fifty (50) feet apart. Ropes, plastic, tape or ribbons shall be attached to the stakes around the perimeter of the protected area, Marking materials shall not be attached to a protected tree.

In addition, individual trees not within a preserved area shall be protected by a barrier, constructed of metal or wood, placed a distance of six feet apart, or at the radius of the dripline, whichever is greater.

Additional tree preservation guidelines can be obtained from The Tree Protection Manual for Builders and Developers published by the Division of Forestry of the Florida Department of Agriculture and Consumer Services.

Prior to site plan certification, a tree survey shall be submitted along with the site plan indicating areas of preservation of existing vegetation.

2. Cross-access and cross-parking agreements for the outparcel shall be executed and subject to approval by the County Attorney prior to site plan certification.
3. A cross-access agreement from the site adjacent to the north shall be executed and subject to approval by the County Attorney prior to site plan certification.
4. Prior to site plan certification, the site plan shall be amended to reflect the following:
  - a) the required number of trees.
  - b) required and proposed amounts of interior landscaping.
  - c) required perimeter landscape strips.
  - d) height of tower.
  - e) lot coverage for the outparcel.
5. All conditions previously approved in Petition 84-171 shall continue in effect unless modified herein.