

RESOLUTION NO. R-87-877

RESOLUTION APPROVING ZONING PETITION 84-58(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. 84-58(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning authority, at its public hearing conducted on January 29, 1987; 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 required site plan modifications, this proposal will be consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 84-58(A), the petition of G.N. ROSSITER by Russell C. Scott, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A PLANNED COMMERCIAL DEVELOPMENT, INCLUDING A LARGE SCALE COMMUNITY SHOPPING CENTER IN EXCESS OF 50,000 SQUARE FEET OF TOTAL FLOOR AREA, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 84-58, TO INCREASE THE LOT COVERAGE on a parcel of land in Section 14, Township 46 South, Range 42 East, being more particularly described as follows: Commence at the Southwest corner of Section 14, Township 46 South, Range 42 East; thence run Northerly along the West line of said

Section 14, a distance of 127.54 feet to a point on the Southerly Right-of-way line of State Road No. 806, as recorded in Road Plat Book 3, Page 25, thence run Northeasterly along the said Southerly Right-of-way line of State Road No. 806, being a curve concave to the Northwest and having a radius of 1832.27 feet, a distance of 682.61 feet to the end of said curve; thence continue Northeasterly along the tangent of said curve. Being also the said Southerly Right-of-way line of State Road 806, a distance of 17.39 feet to the Point of Beginning; thence continue Northeasterly along the said Southerly Right-of-way line of State Road No. 806, a distance of 397.26 feet to the beginning of a curve concave to the Southeast, said curve having a radius of 1751.73 feet; thence continue Northeasterly along the arc of said curve being also the said Southerly Right-of-way line of State Road No. 806, a distance of 375.27 feet to an intersection with a line 215.00 feet West of and parallel with the East line of the Southwest 1/4 of the Southwest 1/4 of said Section 14; thence Southerly along said line a distance of 1061.52 feet to an intersection with the South line of said Section 14; thence Westerly along the said South line of Section 14, a distance of 557.18 feet to an intersection with a line 566.76 feet East of, as measured at right angles, and parallel with the said West line of Section 14; thence Northerly along said parallel line a distance of 534.10 feet to the Point of Beginning, LESS AND EXCEPT. therefrom; the following described property:

A parcel of land in Section 14, Township 46 South, Range 42 East, being more particularly described as follows:

Commencing at the Southwest corner of said Section 14, thence South 89 degrees-42'-03" east along the South line of said Section 14, a distance of 1123.94 feet to a point in a line 215.00 feet West of, as measured at right angles, and parallel with the East line of the Southwest 1/4 of the Southwest 1/4 of said Section 14; thence North 00 degrees-24'-27" East along said parallel line a distance of 565.52 feet to the Point of Beginning; thence continue North 00

degrees-24'-27" East along said parallel line a distance of 496.00 feet to a point in the Southerly Right-of-way line of State Road No. 806, as recorded in Road Plat Book 3, page 25, thence run Southwesterly, along the said Southerly Right-of-way line of State Road No. 806, being a curve concave to the Southeast, having a radius of 1751.73 feet and a chord bearing of South 51 degrees-43'-05" West, a distance of 287.00 feet to a Point; thence South 27 degrees-58'-32" East, a distance of 75.03 feet to a point of curvature of curve concave to the West having a radius of 5.00 feet and a central angle of 28 degrees-22'-59"; thence Southeasterly and Southerly along the arc of said curve a distance of 2.48 feet to a point in a line 402.50 feet West of, as measured at right angles, and parallel with the said East line of the Southwest 1/4 of the Southwest 1/4 of Section 14; thence South 00 degrees-24'-27" West, along said parallel line, a distance of 248.77 feet; thence South 89 degrees-42'-03" East, a distance of 187.50 feet to the Point of Beginning aforescribed. Said property located on the south side of Atlantic Avenue (SR 806), approximately .6 miles east of Jog Road in a CG-General Commercial Zoning District was approved as advertised subject to the following conditions:

1. The developer shall comply with all previous conditions of approval unless modified herein.
2. Prior to site plan certification, the site plan shall be amended to reflect the following:
 - a. the proposed landscaping
3. No building permit shall be issued for the property until such a time that the site is connected to a public sewer system and/or water supply system.
4. Since sewer and water service are available to the property, septic tank and/or well shall not be approved for use on said property.

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

Carol A. Roberts	--	Aye
Jerry L. Owens	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Absent
Kenneth M. Adams	--	Absent


The foregoing resolution was declared duly passed and adopted this 23rd day of June, 1987 confirming action of January 29, 1987.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Jina M. Eldding
Deputy Clerk

APPROVED AS TO FORM
FIND LEGAL SUFFICIENCY


County Attorney