

RESOLUTION NO. R- 87-1176

RESOLUTION APPROVING ZONING PETITION 83-137(B): 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. 83-137(B) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on February 26, 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, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner; 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. 83-137(B), the petition of HRISFIELD PARTNERSHIP by J. Barry Curtin, Esquire, for a SPECIAL EXCEPTION TO RECOMMEND 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 AND MINI-WAREHOUSES PREVIOUSLY APPROVED UNDER ZONING PETITION NO.

83-137 ON OCTOBER 27, 1983, TO INCLUDE OFFICE/WAREHOUSE COMBINRTION  
FIND TO INCRERSE THE ACREAGE BY ONE (1) ACRE OF LRND on a parcel of  
land lying in the East 1/2 of Section 3, Township 41 South, Range  
43 East, and being more particularly described as follows:  
Commencing at the Southwest corner of the Southeast 1/4 of said  
Section 3 thence North 1 degree 54' 20" East along the West line of  
the Southeast 1/4 of said Section 3 a distance of 2431.77 feet,  
thence South 89 degrees 24' 50" East along the Southline of the  
North 259.87 feet of the Northwest 1/4 of the Southeast 1/4 of said  
Section 3 a distance of 70.02 feet to the Point of Beginning of the  
herein described parcel, thence North 1 degree 54' 20" East along a  
line parallel to and 70.00 feet Easterly of as measured at right  
angles from the aforementioned West line of the Southeast 1/4 of  
said Section 3 a distance of 227.63 feet, thence North 45 degrees  
08' 23" East a distance of 34.25 feet, thence North 88 degrees 22'  
25" East along a line parallel to and 30.00 feet Southerly of the  
Southerly Right-Of-Way line of State Road 706 (Indiantown Road) as  
shown on Road Plat Book 1, Page 163 through 165 inclusive a  
distance of 1016.06 feet, thence South 0 degrees 46' 10" West along  
the East line of Lot 5 Plat of Cinquez Park as shown in Plat Book  
20, Page 81 a distance of 31.33 feet to the Southeast corner of  
said Lot 5, thence South 89 degrees 24' 50" East along the South  
line of said Plat of Cinquez Park (said South line also being the  
North line of the Northwest 1/4 of the Southeast 1/4 of said  
Section 3) a distance of 200.01 feet to the Northwest corner of Lot  
1, Will Bush's Rddition to Jupiter, Florida according to the Plat  
thereof as recorded in Plat Book 23, Page 233; thence South 1  
degree 49' 32" West along the West line of said Will Bush's  
Addition to Jupiter a distance of 835.19 feet; thence North 89  
degrees 24' 50" West along the North line of the Plat of Chasewood  
North as recorded in Plat Book 7, Page 170, a distance of 551.48  
feet, thence North 1 degree 54' 20" East along a line parallel to  
and 758.00 feet Easterly of as measured at right angles from the  
aforementioned West line of the Southeast 1/4 of Section 3 a  
distance of 575.28 feet, thence North 89 degrees 24' 50" West a

distance of 688.18 feet to the Point of beginning together with all of Lot 3 Will Bush's Addition to Jupiter, Florida according to the plat thereof as recorded in Plat Book 23, Page 233. The property located on the southeast corner of the intersection of Indiantown Road (SR 706) and Central Boulevard 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 expressly modified herein.
2. Prior to site plan certification, the site plan shall be amended to include the following:
  - a) Indication in the site data tabular that the use for Buildings A and B (southernmost buildings) shall remain exclusively as enclosed moving and storage.
  - b) Corrected tabular data regarding parking requirements, reflecting the total number of parking spaces required and proposed.
  - c) Required number of trees.
  - d) The site plan shall be amended to indicate landscaping on the additional one (1) acre parcel as required by Zoning Code Section 500.35 Landscape Code.
3. The eastern 4,200 square feet of Building D and western 4,200 square feet of Building C shall be used exclusively for vehicle parking.
4. Outdoor lighting used to illuminate the premises shall be low intensity and directed away from adjacent properties and streets, shining only on the subject site.
5. No storage or placement of any materials, refuse, equipment or accumulated debris shall be permitted in the rear of the shopping center.
6. There shall be no commercial or retail activities inside the proposed office/warehouse structures.
7. No building permit shall be issued for the subject property until such a time that the site is connected to a public sewer system.
8. Since sewer and water is available to the property, neither septic tank nor well shall be approved for use on the property.
9. Office/warehouse combination use shall be restricted to Buildings C and D, as shown on the approved site plan.
10. Petitioner shall have no access on Busch Road.
11. At the time Busch Road is programmed for pavement, the petitioner shall agree to contribute to the program share.

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

Carol A. Roberts	--	Absent
Carol J. Elmquist	--	RYE
Karen T. Marcus	--	Rye
Dorothy Wilken	--	Rye
Kenneth M. Adams	--	absent

The foregoing resolution was declared duly passed and adopted this 11th day of August, 1987 confirming action of April 24, 1987.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Lisa E. Daisey  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

[Signature]  
County Attorney