

RESOLUTION NO. R-88- 1226

**RESOLUTION APPROVING ZONING PETITION NO. 87-43  
SPECIAL EXCEPTION PETITION OF GKC ASSOCIATES, INC.**

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** Peach County **Zoning Code Ordinance No. 73-2** have been **satisfied**; and

WHEREAS, **petition** No. **87-43** 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, 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 recommendat ions 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. **This proposal is 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. 87-43**, the **petition of** GKC ASSOCIATES, **INC.** for a **SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT on a parcel of land lying in** PARCEL A: a parcel of land in **Section 4, Township 42 South, Range 43 East**, commencing at the point of **intersection of the center line** of State Highway No. 4 ( u. s. No. 1) **with the** South line of the Northwest 1/4 of said **Section 4**; thence **Northeast along said center line a distance of 2,350 feet to the Point of Eeginning**; thence **continue along said center line, a distance of 100 feet**; thence **West along a line parallel to the South line of said 1/4 section a distance of 485.46 feet**; thence **Southerly parallel with the center line of said State Highway No. 4, a distance of 100.0 feet**; thence **Easterly along a line parallel to the South line of said 1/4 section, a distance of 485.46 feet to the Point of Beginning**. Less and except for the following **described parcel** : **Commencing at the point of**

**intersection** of the **centerline** of U. S. Highway No. 1. As shown in Road Plat Book 2, Pages 105 through 117, with the South line of the Northwest quarter **Section 4** aforesaid; thence North 12 degrees 03' 40" East, along the **centerline** of said U. S. Highway No. 1 (the **centerline** of said U. S. Highway No. 1 is assumed to bear North 12 degrees 03' 40" East and all other bearings are relative thereto) a distance of 2350.0 feet to a point; thence North 90 degrees 00' 00" West, parallel with the South line of the Northwest 1/4 of said **Section 4**, a distance of 52.15 feet to the **Point of Beginning** of the herein described parcel, said point being on the **Westerly Right-of-Way line** of said U. S. Highway No. 1; thence North 12 degrees 03' 40" East, along the **Westerly Right-of-Way line** of said U. S. Highway No. 1, a distance of 100.00 feet to a point; thence North 90 degrees 00' 00" West, parallel with the South line of the Northwest 1/4 of said **Section 4** and departing from the **Westerly Right-of-Way line** of said U. S. Highway No. 1, a distance of 7.16 feet to a point; thence South 12 degrees 03' 40" West, parallel with the **centerline** of said U. S. Highway No. 1, a distance of 100.00 feet to a point; thence South 90 degrees 00' 00" East, parallel with the South line of the Northwest 1/4 of said **Section 4**, a distance of 7.16 feet to the **Point of Beginning**; together with PARCEL B; beginning at the **point of intersection** of the **Westerly Right-of-Way line** of State Road No. 5 (U. S. Highway No. 1) with the South line of the Northwest 1/4 of **Section 4**, Township 42 South, Range 43 East, run thence Northeast along said **Right-of-Way line** a distance of 2150 feet to the **Point of Beginning**; thence continue Northeast along said **Right-of-Way line** a distance of 200 feet; thence run **Westerly parallel** to said South line of the Northwest 1/4 a distance of 509.79 feet to the Northeast corner of the replat of **Guarino Subdivision** as recorded in Plat Book 24, Page 26, thence run Southerly at right angles to preceding course, a distance of 195.58 feet to the Southeast corner of **Guarino Subdivision**; thence run Easterly, parallel to said South line the Northwest 1/4 a distance of 468.0 feet to a point in said **Westerly Right-of-Way line** of State Road No. 5, the **Point of Beginning** less and except for the following described parcel: commencing at the **point of intersection** of the center line of U. S. Highway No. 1, as shown in Road Plat Book 2, Pages 105 through 117, with the South line of the Northwest 1/4 of **Section 4** aforesaid; thence North 12 degrees 03' 40" East, along the **centerline** of said U. S. Highway No. 1 (the centerline of said U. S. Highway No. 1 is assumed to bear North 12 degrees 03' 40" East and all other bearings are relative thereto) a distance of 2150.0 feet to a point; thence North 90 degrees 00' 00" West, parallel with the South line of the Northwest 1/4 of said **Section 4**, a distance of 52.15 feet to the **Point of Beginning** of the herein described parcel, said point being on the **Westerly Right-of-Way line** of said U. S. Highway No. 1; thence North 12 degrees 03' 40" East, along the **Westerly Right-of-Way line** of said U. S. Highway No. 1, a distance of 200.0 feet to a point; thence North 90 degrees 00' 00" west, parallel with the South line of the Northwest 1/4 of said **Section 4** and departing from the **Westerly Right-of-Way line**

of **said U. S. Highway No. 1, a distance of 7.16 feet to a point;** thence South 12 degrees 03' 40" West, **parallel with the centerline of said U. S. Highway No. 1, a distance of 200.0 feet to a point;** thence South 90 degrees 00' 00" East. **Parallel with the South line of the Northwest 1/4 of said Section 4, a distance of 7.16 feet to the Point of Beginning, located on the West side of U.S. Highway No. 1, approximately .1 mile South of Juno 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 expressly modified herein.
2. Prior to site plan certification, the site plan shall be amended to reflect the following:
  - a. Required landscaping within and along the north and south perimeter of the vehicular use areas.
  - b. Required tree in each terminal island.
3. The developer shall retain the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application. However, at a minimum, this development shall retain onsite three (3) inches of the stormwater runoff generated by a three (3) year-one (1) hour storm as required by the Permit Section, Land Development Division. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer. In the event that the drainage system is not adequately maintained as determined by the County Engineer, this matter will be referred to the Code Enforcement Board for enforcement.
4. The property owner shall convey for the ultimate right-of-way of U.S. 1, sixty (60) feet from centerline within ninety (90) days of the adoption of the Resolution approving this project.
5. The property owner shall construct a left turn lane, south approach on U.S. 1 at the project's entrance road subject to approval by the Florida Department of Transportation concurrent with onsite paving and drainage improvements.
6. The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project presently is \$55,938.00 (2,088 trips X \$26.79 per trip).
7. Based on the Traffic Performance Standards (Category "B"), the developer shall contribute an additional \$13,985.00

toward Palm Beach County's existing Roadway Improvement Program. These total funds of \$69,923.00 are to be paid prior to the issuance of the first building permit or prior to October 1, 1987 whichever shall first occur.

8. In order to comply with the mandatory traffic performance standards the property owner shall be restricted to ensure that a maximum of 14,735 square feet of gross leasable area shall be made available for general commercial uses or a similar mix of general commercial and office which generates the same equivalent ADT.
9. Since sewer and water is available to the property, neither septic tank nor well for potable water use shall be approved for use on the property.


Commissioner Marcus, 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:

Carol A. Roberts	--	Absent
Carol J. Elmquist	--	W e
Karen T. Marcus	--	W e
Dorothy Wilken	--	W e
Kenneth M. Adams	--	W e

The foregoing resolution was declared duly passed and adopted this 9th day of August, 1988 confirming action of July 24, 1987

AFFROVED AS TO FORM  
AND LEGAL SUFFICIENCY

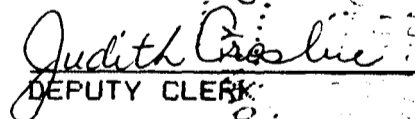
BY:

  
COUNTY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

  
DEPUTY CLERK

