

RESOLUTION NO. R- 89-936

RESOLUTION APPROVING ZONING PETITION NO. 76-75(E)
MODIFICATION OF COMMISSION REQUIREMENTS
PETITION OF B. W. SIMPKINS AND F. A. SHERIFF

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. 76-75(E) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on May 27, 1988; 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. This proposal is consistent with the requirements of the Comprehensive and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that Petition No. 76-75(E), the petition of B. W. SIMPKINS AND F. A. SHERIFF, by T. A. Vani, Agent, for a MODIFICATION OF COMMISSION REQUIREMENTS on a parcel of land lying in the Northeast 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 6, Township 41 South, Range 42 East, being specifically described as follows:

From an iron rod marking the southeast corner of the Southwest 1/4 of the Northeast 1/4 of said Section 6, bear North 01 degree 37 '09" East along the East line of the Southwest 1/4 of the Northeast 1/4 of said Section 6, a distance of 1,146.19 feet to the intersection thereof with the Southerly Right-of-way line of State Road 706 (Indiantown Road): thence North 74 degrees 56 '13" West along said Right-of-way line, a distance of 61.69 feet to the Point of Beginning.

Thence, continue North 74 degrees 56' 13" West along said Right-of-Way line, a distance of 184.12 feet to the Point of Curvature of a Curve to the Right, having a central angle of 3 degrees 38' 03" and a radius of 2,914.93 feet; thence Northwesterly, along

the arc of said curve, a distance of 184.89 feet to the end of said curve; thence South 41 degrees 20' 19' West, a distance of 224.80 feet to the Point of Curvature of a Curve to the left, having a central angle of 41 degrees 30' 00" and a radius of 70.58 feet; thence, Southwesterly, along the arc of said curve, a distance of 51.12 feet to the Point of Tangency; thence South 0 degrees 09' 41" East, a distance of 150.29 feet; thence North 89 degrees 30' 00" East, a distance of 513.00 feet; thence North 01 degree 37' 09" East along a line that is 60 feet Westerly of, parallel and measured at right angles to the East line of the Southwest 1/4 of the Northeast 1/4 of said Section 6, a distance of 260.00 feet to the Point of Beginning, located on the south side of Indiantown Road (SR 706), approximately .7 mile east of Jupiter Farms Road, in a CG-General Commercial Zoning District, was approved as advertised, subject to the following conditions:

1. The petitioner shall comply with all previous conditions of approval, unless expressly modified herein.
2. Condition No. 1(g) of Zoning Petition No. 76-75(D) (Resolution No. R-87-13), which presently states:

"1. Prior to site plan certification, the site plan shall be amended to reflect the following:

- g. a six (6) foot high solid masonry wall along the entire length of the south property line and along the east property line to within ten (10) feet of the east access drive. In addition, ten to twelve (10-12) foot high canopy trees shall be planted thirty (30) feet on center along the entire length of said wall."

Is hereby amended to read as follows:

"1. Prior to certification, the site plan shall be amended to reflect the following:

- g. A six (6) foot high chain link fence along the entire length of the south and east property line, to be supplemented with a ten (10) foot landscape strip. Ten (10) to twelve (12) foot high canopy trees shall be planted thirty (30) feet on center along the entire length of said fence. In addition, a solid six (6) foot high ficus hedge and vines shall be planted along the entire length of the fence to provide additional visual screening."

3. Failure to comply with the conditions herein may result in the denial or revocation of a building permit; the issuance of a stop work order; the denial of a Certificate of Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer-owner, commercial-owner,

lessee, or user **of** the subject property. Appeals from such action may be taken to the Palm Beach County Board **of** Adjustment **or** as otherwise provided in the Palm Beach County Zoning Code. Violations of the conditions herein shall constitute violation of the Palm Beach County Zoning Code.

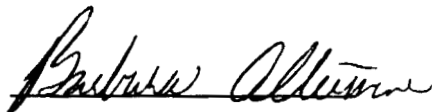
Commissioner Marcus moved for approval of the petition., The motion was seconded by Commissioner Elmquist and, upon being put to a vote, the vote was as follows:

Carol A. Roberts	--	Aye
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Absent
James Watt	--	Absent

The foregoing resolution was declared duly passed and adopted this 23rd day of May, 1989 confirming action of May 27, 1988.

APPROVED **AS TO FORM**
AND LEGAL SUFFICIENCY

BY:

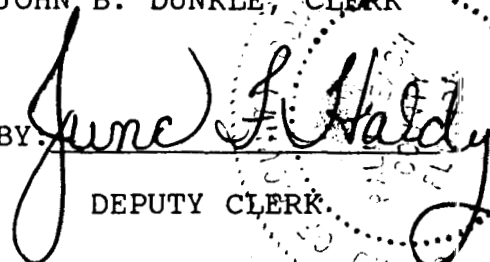


COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:



DEPUTY CLERK.

