

29/44/42

RESOLUTION NO. R-91- 528

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. CR 89-54/23
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-90-65
WHICH APPROVED THE SPECIAL EXCEPTION OF
LAKE WORTH TURNPIKE ASSOCIATES
PETITION NO. 89-54

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, systematic monitoring and review of approved zoning actions help implement the goals and objectives of the Comprehensive Plan.

WHEREAS, the notice and hearing requirements as provided for in Section 402.6 of the Palm Beach County Zoning Code have been satisfied; and

WHEREAS, pursuant to Section 402.6, Status Report CR 89-54/23 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at a public hearing conducted on November 29, 1990; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, has reviewed Status Report CR 89-54/23 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, Section 402.6 of the Palm Beach County Zoning Code authorizes the Board of County Commissioners, sitting as the Zoning Authority, to add or modify conditions of approval; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, made the following findings of fact:

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations; and
2. The conditions listed below require this petition to develop more in conformity with current standards of development.

WHEREAS, Section 402.5 of the Zoning Code requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that the recommendation of Status Report No. CR 89-54/23, amending Conditions of Approval of Resolution No. R-90-65, the Special Exception of Lake Worth Turnpike Associates, Petition No. 89-54, on a parcel of land in Tract 64, Block 24, Palm beach Farms Plat No. 3, Plat Book 2, pages 45 to 54, described as follows: Beginning at the Southwest corner of said Tract 64, thence run Northerly along the West line of said Tract a distance of 660.00 feet to the Northwest corner thereof; thence run Easterly along the North line of said Tract 329.28 feet to a point; thence run Southerly a distance of 660.00 feet to a point in the South line of said Tract; thence run Westerly 329.62 feet along the South line of said Tract to the Point of Beginning; less State Road 802 right-of-way and less the following described portion: Commencing at the intersection of the West line of said Tract 64, Block 24, and the North right-of-way line of State Road No. 802 (Lake Worth West Road), thence Northerly along the West line of said Tract 64, Block

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24, a distance of 188.00 feet to the point of Beginning; thence continue Northerly, along the West line of said Tract 64, Block 24, a distance of 55.26 feet to a point; thence Easterly, making an angle with the preceding course of 80 degrees 27'25" measured from South to East, a distance of 25.02 feet to a point; thence Southerly, at right angles to the preceding course, a distance of 54.50 feet to a point; thence Westerly, at right angles to the preceding course, a distance of 15.86 feet to the Point of Beginning and less the South 239.34 feet to the East 182.00 feet thereof, being located on the northwest corner of Lake Worth Road and the Sunshine State Parkway (Florida's Turnpike) in a CG-General Commercial Zoning District, is approved, subject to the following conditions:

1. The petitioner shall comply with all previous conditions of approval unless expressly modified herein.

2. Condition No. (Resolution R-90-65) which presently states:

"23. The property owner shall convey to the Lake Worth Drainage District an additional 10 feet in width along the east side of the subject property for the required right-of-way for Equalizing Canal No. 2-W, by Quit Claim Deed or an Easement Deed in the form provided by said District within ninety (90) days of the approval of the Resolution approving this project."

is hereby deleted.

Commissioner Elmquist moved for approval of the Resolution.

The motion was seconded by Commissioner Roberts and, upon being put to a vote, the vote was as follows:

KAREN T. MARCUS, CHAIR	--	Aye
CAROL J. ELMQUIST	--	Absent
CAROL ROBERTS	--	Aye
CAROLE PHILLIPS	--	Absent
MARY MCCARTY	--	Aye
KEN FOSTER	--	Aye
MAUDE FORD LEE	--	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 23rd day of April, 1991.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

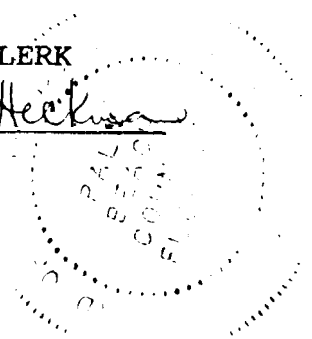
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: *Bushwa Altman*

JOHN B. DUNKLE, CLERK

BY: *Linda C. Heckman*
Deputy Clerk

(orig. Z.A. date: July 27, 1989)



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