

RESOLUTION NO. R-91-592

RESOLUTION APPROVING ZONING PETITION NO. 81-186(A)
SPECIAL EXCEPTION PETITION OF WILLIAM H. LEE

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, have been satisfied; and

WHEREAS, Petition No. 81-186(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 24, 1991; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, 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 the 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, 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.

WHEREAS, Chapter 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 Petition No. 81-186(A), the petition of WILLIAM H. LEE, BY SARA LOCKHART, AGENT, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A PREVIOUSLY APPROVED PCD TO RE-DESIGN THE SITE, INCREASE SQUARE FOOTAGE AND PERMIT A FINANCIAL INSTITUTION WITH 3 DRIVE-UP TELLERS on a parcel lying North of Lantana Road and East of Jog Road within the Southeast 1/4 **of** Section 34, Township 44 South, Range 42 East, commencing at the South 1/4 corner of said Section 34; thence south 88°32'09" East (bearings are based on Palm Beach County Sectional Data North-South Mid-Section Line, Section 34-44-42, bearing North 00°47'13" West) along the south line of said Section, a distance of 128.50 feet; thence North 01°27'51" East, a distance of 105.49 feet to the Point **of** Beginning, thence South 49°43-58" East, a distance of 43.87 feet; thence South 88°32'09" East, a distance of 300.00 feet; thence South 85°47'16" East, a distance of 250.29 feet; thence South 86°33'25" East, a distance of 347.52 feet; thence South 88°32'09" East, a distance of 307.57 feet; thence North 01°35'40" East, a distance **of** 230.00 feet; thence North 88°24'20" West, a distance of 280.00 feet; thence North 01°35'40" East, a distance **of** 655.00 feet; thence North 43°24'20" West, a distance **of** 130.00 feet; thence North 88°24'20" West, a distance **of** 290.00 feet; thence North 43°24'20" West, a distance of 155.00 feet;

thence North 88°32'09" West, a distance of 325.00 feet; thence South 46°27'51" West, a distance of 50.00 feet; thence North 88°32'09" West, a distance of 155.64 feet; thence South 01°35'40" West, a distance of 184.30 feet; thence South 00°19'17" West, a distance of 512.35 feet to a Point of Curvature of a curve concave to the east; thence southerly along the arc of said curve having a central angle of 11°15'04" and a radius of 1,566.02 feet, a distance of 307.52 feet to the Point of Beginning; AND, a parcel lying North of Lantana Road and East of Jog Road within the Southeast 1/4 of Section 34, Township 44 South, Range 42 East, commencing at the South 1/4 corner of said Section 34; thence South 88°32'09" East (bearings are based on Palm Beach County Sectional Data North-South Mid-Section Line, Section 34-44-42, bearing North 00°47'13 West) along the South line of said Section, a distance of 128.50 feet; thence North 01°27'51" East, a distance of 105.49 feet; thence South 49°43'58" East, a distance of 43.87 feet; thence South 88°32'09" East, a distance of 300.00 feet; thence South 85°47'16" East, a distance of 250.29 feet; thence South 86°33'25" East, a distance of 347.52 feet; thence South 88°32'09" East, a distance of 307.57 feet; thence North 01°35'40" East, a distance of 230.00 feet; to the Point of Beginning, thence North 88°24'20" West, a distance of 280.00 feet; thence North 01°35'40" East, a distance of 655.00 feet; thence North 43°24'20" West, a distance of 130.00 feet; thence North 88°24'20" West, a distance of 290.00 feet; thence North 43°24'20" West, a distance of 155.00 feet; thence North 88°32'09" West, a distance of 325.00 feet; thence South 43°27'51" West, a distance of 50.00 feet; thence North 88°32'09" West, a distance of 155.64 feet; thence North 01°35'40" East, a distance of 264.69 feet; thence South 88°32'09" East, a distance of 1,287.44 feet; thence South 01°35'40" West, a distance of 1,087.61 feet to the Point of Beginning, on the N.E. CORNER OF INTERSECTION OF LANTANA RD. AND JOG RD. IN THE CG & CSH ZONING DISTRICT, was approved on January 24, 1991, as advertised, subject to the following conditions:

A. STANDARD CONDITIONS

1. The petitioner shall comply with all previous conditions of approval, and all prior time certain conditions, unless expressly modified herein.
2. The site plan shall be amended to indicate compliance with all minimum property development regulations and land development requirements of Palm Beach County.
3. Development of the site is limited to the uses and site design shown on the site plan approved by the Board of County Commissioners (Exhibit No. 54) unless the proposed use or design changes are permitted pursuant to Section 402.7 (E)2 (b) (Site Plan Review Committee Powers and Standards of Review) and/or required by conditions of approval.

B. AUTO SERVICE STATION (NO REPAIR)

1. The convenience store shall be limited to a maximum of 750 square feet in total gross floor area.
2. Prior to site plan certification, the site plan shall be amended to indicate the location of the car wash facility.
3. Prior to site plan certification, the site plan shall be amended to indicate the location of a receptacle for the

storage and disposal of trash and garbage (i.e. dumpster) adjacent to the auto service station.

4. There shall be **no** repair or maintenance of vehicles on site.
5. **No** outside storage of disassembled vehicles, or parts thereof, shall be permitted on site.
6. Prior to site plan certification, the site plan shall be amended to indicate facilities for the provision **of** air and water for minor vehicle maintenance. The owner **of** the service station facility shall provide air and water for minor vehicle maintenance to the public at no charge.
7. **A** minimum of fifteen percent (**15%**) of the gross paved area of the gas station out-parcel shall be devoted to interior landscaping. If the landscaped area is moved to the perimeter of the out-parcel, it shall be designed as an integral part of the adjacent landscape buffers. In addition, one (**1**) native canopy tree shall be planted in the adjacent interior landscape areas for each **250** square feet of paved vehicular use area.

C. BUILDING AND SITE DESIGN

1. The minimum setback for all structures adjacent to residential areas shall be twenty five (**25**) feet.
2. Receptacles for the storage and disposal of trash, garbage **or** vegetation (i.e. dumpsters) shall not be located within seventy-five (**75**) feet of the north or east property lines.
3. **All** areas or receptacles for the storage and disposal of trash, garbage or vegetation (i.e. dumpsters) shall be screened by an enclosure constructed of brick, decorative concrete, other decorative masonry consistent with the architectural character **of** the development, or comparable wood or steel. The open end of the enclosure shall have an obscure opaque gate. All exterior sides, except the open end, shall be landscaped with thirty-six (**36**) inch high shrubs and hedges planted at two (**2**) foot intervals. This provision shall not apply to litter containers provided for the convenience of pedestrians.
4. The maximum height, from grade to roof line, for all structures shall not exceed thirty-five (**35**) feet.
5. All mechanical equipment shall be roof mounted and screened from view on all sides in a manner consistent with the color and character of the principle structure.
6. All structures shall have a similar architectural treatment on all sides.
7. Prior to site plan certification, the site plan shall be amended to indicate pedestrian access to the shopping center from the east. Access shall be provided through the shopping center at **a** convenient location. Pathways across paved vehicular use areas shall be stripped and marked with an above grade sign. Sidewalks shall **be** installed within landscaped areas and adjacent **to** vehicular use areas where necessary.

8. Prior to site plan certification, the site plan shall be amended to reflect the location of shopping cart storage and retrieval areas within the parking areas adjacent to the shopping center.
9. All out-parcels shall be no less than 3/4 acre in size.
10. Reasonable precautions shall be taken during construction on the site to insure that fugitive particulates (dust particles) do not become a nuisance to neighboring properties.

D. DAY CARE CENTER

1. The day care center shall be limited to a maximum of 100 students and 5,000 square feet of floor area.
2. Prior to site plan certification, the site plan shall be amended to indicate three (3) drop-off stalls in the adjacent parking area. Each stall shall be a minimum of twelve (12) feet in width by twenty (20) feet in length.
3. Prior to site plan certification, the site plan shall be amended to indicate stripped cross walks between the day care facility and the parking area. All cross walks shall be marked with an above grade sign.
4. The outdoor activity area shall have a minimum area of 7,500 square feet and shall be screened by a six (6) foot high wood fence. The exterior side of the fence shall be landscaped with twelve (12) foot tall high native canopy trees planted no more than thirty (30) feet on center and thirty-six (36) inch high shrubs or hedge material planted twenty-four (24) inches on center.
5. One twelve (12) foot high native canopy tree per seven-hundred fifty (750) square feet of outdoor activity area shall be provided. All trees required by this condition shall be planted within the interior of the outdoor activity area and in compliance with HRS requirements.

E. ENGINEERING

- E1. The Developer shall provide discharge control and treatment for the storm-water 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 on-site the storm-water runoff generated by a three (3) year-one (1) hour storm with a total rainfall of 3 inches as required by the Permit Section, Land Development Division. In the event that the subject site abuts a Department of Transportation maintained roadway, concurrent approval from the Florida Department of Transportation will also be required. 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.
- E2. The Developer shall design the drainage system such that drainage from those areas which may contain hazardous or undesirable waste shall be separate from storm-water runoff from the remainder of the site.

- E3.** Prior to August 1, 1991, or prior to the issuance of the first Building Permit, whichever shall first occur, the property owner shall convey to Palm Beach County Roadway Production Division by road right-of-way warranty deed for the construction of a right turn lane on:
- a. Jog Road and the project's main entrance 700 feet north of Lantana Road;
 - b. Lantana Road at the project's main entrance! 400 feet east of Jog Road.

This right of way shall be a minimum of 150 feet in storage length, twelve feet in width and a taper length of 180 feet.

- E4.** The Property owner shall construct a right turn lane on Jog Road and the project's main entrance and on Lantana Road at the project's main entrance concurrent with on-site paving and drainage improvements. Construction shall be completed prior to the issuance of the first Certificate of Occupancy.
- E5.** 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 at the time of the Building Permit presently is \$592,295.00 (11,769 trips x \$55.00 per trip). Credit for previous road work done by the developer for his participation in the Jog Road/Lantana Road improvements shall be considered and approved as determined by the County Engineer.
- E6.** Prior to issuance of any building permits, developer shall provide to County a boundary plat, including all access points, present and future, for said parcel and referencing the Unity of Control Covenants. All review of site plans and/or master plan shall be through the Site Plan Review Committee.
- E7.** Prior to the issuance of a building permit for the main center, the property owner shall convey one (1) pedestrian access easement along the east property line between this parcel and Lee's Crossing PUD. The exact location of this pedestrian access easement shall be approved by the County Engineer and shown on the approved site plan. The property owner shall complete the construction of all pathways from this proposed Planned Commercial Development to the east prior to the issuance of a Certificate of Occupancy for the main center.
- E8.** Detailed signing and striping plans shall be approved by the Traffic Division prior to the issuance of a building permit for the main center.

F. ENVIRONMENTAL RESOURCE MANAGEMENT

1. Secondary containment for stored Regulated Substances - fuels, oils, solvents, or other hazardous chemicals - is required. Environmental Resources Management Department staff shall provide guidance on appropriate protective measures.

2. Plans for underground storage tanks must be signed off by the Department of Environmental Resources Management prior to installation. The petitioner shall perform all necessary preventative measures to reduce the chances of contamination of the groundwater. Double walled tanks and piping with corrosion protection or their equivalent shall be a part of those measures.

G. HEALTH

1. Generation and disposal of hazardous effluents into sanitary sewerage system shall be prohibited unless adequate pretreatment facilities approved by the Florida Department of Environmental Regulation (FDER) and Agency responsible for sewage works are constructed and used by project tenants or owners generating such effluents.
2. Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site.
3. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water.
4. The owner, occupant or tenant of the facility shall participate in an oil recycling program which insures proper re-use or disposal of waste oil.
5. No portion of this project is to be approved on well and/or septic tank, existing or new. Existing septic tanks are to be abandoned in accordance with Chapter 10D-6 F.A.C.

H. IRRIGATION QUALITY WATER

1. When irrigation quality water is available within five-hundred (500) feet of the property, the petitioner shall connect to the system. The cost for connection shall be borne by the property owner.

I. LANDSCAPING - GENERAL

1. A twenty five (25) foot landscaped buffer strip shall surround the entire perimeter of the subject property.
2. Prior to site plan certification, the petitioner shall submit a Landscape Master Plan for review and approval by the Zoning Division. The Landscape Master Plan shall demonstrate conformance to all Landscape Code requirements and conditions of approval.
3. Prior to site plan certification, the landscape tabular data on the site plan shall be revised to reflect conformance to minimum Landscape Code requirements; and all landscape conditions .
4. All trees on site shall be permitted to reach and be maintained at a minimum mature height of fifteen (15) feet. Maintenance shall conform to Arbor Society recommended practices and Zoning Code requirements,
5. All landscaped areas shall be fully irrigated.

J. LANDSCAPING - INTERIOR

1. One landscape island, planted with a minimum of two native canopy trees or four native palm trees, and appropriate ground cover, shall be provided for every twelve (12) parking spaces utilizing 90 degree angle parking dimensions.
2. Landscaped divider medians shall be provided between abutting rows of parking spaces utilizing 60 degree angle parking dimensions. The minimum width of this median shall be five (5) feet. One native canopy tree or two native palm trees, and appropriate ground cover, shall be planted for each thirty (30) linear feet of the divider median, with a maximum spacing of sixty (60) feet on center.
3. Landscaped terminal islands shall be provided for all rows of parking.
4. Fifty percent (50%) of all trees within the interior parking area shall be twelve (12) feet in height or greater. The remaining fifty percent (50%) shall be ten (10) feet in height or greater.
5. Seventy-five percent (75%) of all trees within the interior parking area shall be shade trees.
6. Prior to site plan certification, the site plan shall be amended to indicate typical tree planter details, subject to approval by the Zoning Division, for Conditions J.1. and J.2.
7. Landscaping along both sides of the vehicular use drive separating the CSH and CG zoned portions of the property shall be upgraded to include twelve (12) foot tall native canopy trees planted twenty (20) feet on center and a continuous opaque hedge twenty-four (24) inches in height and planted twenty-four (24) inches on center.

K. LANDSCAPING AND BUFFERING ALONG NORTH PROPERTY LINE

1. Landscaping and buffering along the north property line shall be installed prior to:
 - a. Issuance of a building permit for any building in the CSH zoned portion of the site, and/or
 - b. Issuance of a certificate of occupancy (C.O.) for any building in the CG zoned portion of the site.
2. Buffering shall include a six (6) foot high concrete wall, painted on both sides a color consistent with the shopping center.
3. The following landscape requirements shall be installed on the exterior side of the buffer:
 - a. Native canopy trees spaced no more than twenty (20) feet on center. The minimum height of these trees shall be as follows:
 - 1) Fifty percent (50%) - fourteen (14) feet.
 - 2) Twenty-five percent (25%) - twelve (12) feet.
 - 3) Twenty-five percent (25%) - ten (10) feet.

- b. Twelve (12) foot tall native palm trees spaced no more than thirty (30) feet on center.
 - c. Thirty-six (36) inch high shrubs or hedge material spaced no more than twenty four (24) inches on center.
4. Thirty-six (36) inch high shrubs or hedge material, spaced no more than twenty four (24) inches on center, shall be installed on the interior side of the required buffer .

L. LANDSCAPING ALONG SOUTH PROPERTY LINE

1. Landscaping within the landscape buffer abutting Lantana Road shall be upgraded to include:
- a. Native canopy trees spaced an average of twenty (20) feet on center. The minimum height of these trees shall be as follows:
 - 1) Fifty percent (50%) - fourteen (14) feet.
 - 2) Twenty-five percent (25%) - twelve (12) feet.
 - 3) Twenty-five percent (25%) - ten (10) feet.
 - b. One (1) native palm tree, a minimum of twelve (12) feet in height, spaced an average of thirty (30) feet on center.
 - c. Thirty-six (36) inch high shrubs or hedge material spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of forty-two (42) inches within eighteen months, or a minimum forty-two (42) inch high hedge/berm combination.

M. LANDSCAPING AND BUFFERING ALONG EAST PROPERTY LINE

1. Landscaping and buffering along the east property line shall be installed prior to:
- a. Issuance of a building permit for any building in the CSH zoned portion of the site, and/or
 - b. Issuance of a certificate of occupancy (C.O.) for any building in the CG zoned portion of the site.
2. Buffering shall include a six (6) foot high concrete wall painted on both sides a color consistent with the shopping center.
3. The following landscape requirements shall be installed on the exterior side of the buffer:
- a. Native canopy trees spaced no more than twenty (20) feet on center. The minimum height of these trees shall be as follows:
 - 1) Fifty percent (50%) - fourteen (14) feet.
 - 2) Twenty-five percent (25%) - twelve (12) feet.
 - 3) Twenty-five percent (25%) - ten (10) feet.
 - b. Twelve (12) foot tall native palm trees spaced no more than thirty (30) feet on center.

- c. Thirty-six (36) inch high shrubs or hedge material spaced no more than twenty four (24) inches on center.
4. Thirty-six (36) inch high shrubs or hedge material, spaced no more than twenty four (24) inches on center, shall be installed on the interior side of the required buffer.

N. LANDSCAPING ALONG WEST PROPERTY LINE

1. Landscaping within the landscape buffer along Jog Road shall be upgraded to include:
 - a. Native canopy trees spaced an average of twenty (20) feet on center. The minimum height of these trees shall be as follows:
 - 1) Fifty percent (50%) - fourteen (14) feet.
 - 2) Twenty-five percent (25%) - twelve (12) feet.
 - 3) Twenty-five percent (25%) - ten (10) feet.
 - b. One (1) native palm tree, a minimum of twelve (12) feet in height, spaced an average of thirty (30) feet on center.
 - c. Thirty-six (36) inch high shrubs or hedge material spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of forty-two (42) inches within eighteen months, or a minimum forty-two (42) inch high hedge/berm combination.

O. LANDSCAPE WITHIN MEDIAN

1. If permitted by the Florida State Department of Transportation or the County Engineer, the petitioner shall landscape the median of all abutting right-of-ways. This landscaping shall consist of one ten (10) foot tall native canopy tree for each thirty (30) linear feet of the adjacent median, appropriate ground cover and irrigation. Trees may be planted singly or in clusters, with a maximum spacing of sixty (60) feet on center. All landscape material shall be selected, maintained and installed according to xeriscape principles. This landscaping shall be the perpetual maintenance obligation of the petitioner. Landscaping shall be completed prior to the issuance of a Certificate of Occupancy for the main center.

P. LIGHTING

1. All outdoor lighting used to illuminate the premises and identification signs shall be of low intensity, shielded and directed away from adjacent properties and streets.
2. Lighting fixtures within four hundred (400) feet of the north and east property lines shall not exceed fifteen (15) feet in height. All other lighting on the site shall not exceed forty (40) feet in height.
3. All outdoor lighting within four hundred (400) feet of the north and east property lines shall be extinguished no later than 10:00 p.m. All other outdoor lighting

shall be extinguished no later than 2:00 a.m. Security lighting only is excluded from this requirement.

Q. PARKING AND CROSS ACCESS

1. A maximum of 1,665 parking spaces shall be permitted on site.
2. Prior to site plan certification, the tabular data on the site plan shall be amended to indicate the total number of loading spaces required for the entire PCD. All required loading spaces for each use shall be clearly indicated on the site plan.
3. Vehicle parking shall be limited to the parking areas designated on the approved site plan. No parking of vehicles shall be permitted in landscaped areas, right-of-way or interior drives.
4. All uses shall utilize shared parking and circulation arrangements acceptable to the Planning, Zoning and Building Department. Shared parking and cross access agreements which are acceptable to the County Attorney shall be recorded in the public record prior to site plan certification.
5. Prior to Site Plan Certification, vehicular access to the east from Oak Royal Drive shall be deleted from the site plan.

R. RECYCLE SOLID WASTE

1. All property owners and leasee's shall participate in recycling programs when available in the area. Material to be recycled shall include, but not be limited to, paper, plastic, metal and glass products.

S. SIGNS

1. Free standing signs fronting on Lantana Road shall be limited as follows:
 - a. Maximum sign height - fifteen (15) feet.
 - b. Maximum total sign face area - 664 square feet.
 - c. Maximum number of signs - three (3).
2. Free standing signs fronting on Jog Road shall be limited as follows:
 - a. Maximum sign height - fifteen (15) feet.
 - b. Maximum total sign face area - 666 square feet.
 - c. Maximum number of signs - three (3).
3. Prior to Site Plan certification, the petitioner shall submit a Master Sign Program which specifies sign location, sign dimensions, unified color, unified graphics and conformance to all sign related conditions of approval.
4. No signs shall encroach into the twenty-five (25) foot perimeter landscape buffer.

5. All other signs shall comply with the Palm Beach County Sign Code Ordinance 72-23, and shall indicate principle use only. Specifically, no snipe signs, banners, balloons, off premise, or other prohibited type of advertisement shall be permitted on site.
6. If, prior to the issuance of a building permit for the project, the Sign Code is amended to be more restrictive than the conditions of approval, the regulations of the amended Sign Code shall supersede the sign-related conditions of approval.

T. RESTRICTIVE COVENANT

1. Prior to site plan certification, the petitioner shall record a copy of a Restrictive Covenant in the public record indicating that all out-parcels, structure; and uses within the PCD are part of a single unified planned development, irregardless of ownership. This covenant shall not be removed, altered, changed or amended without written approval from the County and shall be in a form acceptable to the County Attorney.

U. USE LIMITATIONS

1. No outdoor activities shall be allowed on the CSH zoned portion of the site, including deliveries and use of the baseball/activity area, prior to 6:00 a.m. nor continue later than 10:00 p.m.
2. No indoor activities shall be allowed within any structure in the CSH zoned portion of the site prior to 6:00 a.m. nor continue later than 1:00 a.m.
3. No outdoor loudspeaker system audible from the property lines shall be operated on the subject property between the hours of 8:00 p.m. and 8:00 a.m.

V. COMPLIANCE

1. As provided in the Palm Beach County Zoning Code, Sections 400.2 and 402.6, failure to comply with any of these conditions of approval at any time may result in:
 - a. 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; and/or
 - b. The revocation of the Special Exception and any zoning which was approved concurrently with the Special Exception as well as any previously granted certifications of concurrency or exemptions therefrom; and/or
 - c. A requirement of the development to conform with updated standards of development, applicable at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions.

Appeals of any departmental-administrative actions hereunder may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Palm Beach county Zoning Code. Appeals of any revocation of Special Exception, Rezoning, or other actions based on a Board of County Commission decision, shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit.

Commissioner Elmquist moved for approval of the Resolution.

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


Karen T. Marcus, Chair	--	AYE
Carole Phillips	--	AYE
Carol A. Roberts	--	ABSENT
Carol J. Elmquist	--	AYE
Mary McCarty	--	AYE
Ken Foster	--	AYE
Maude Ford Lee	--	AYE

The Chair thereupon declared the resolution was duly passed and adopted this 7th day of May, 1991.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 
COUNTY ATTORNEY

JOHN B. DUNKLE, CLERK
BY: 
DEPUTY CLERK