

Post-it* Fax Note	7671	Date	3-3-97	pages	3
To	Robin	From	Colia		
Co./Dept.	Zoning	Co.	minutes		
Phone #	233-5039	Phone #	355-2954		
Fax #	233-5165	Fax #			

RESOLUTION NO. R-92-55

RESOLUTION APPROVING ZONING PETITION NO. 79-72(C)
REZONING PETITION OF ACME IMPROVEMENT DISTRICT

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. 79-72(C) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its Public Hearing conducted on September 26, 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. 79-72(C), the petition of ACME IMPROVEMENT DISTRICT, BY EDWARD LOWDER, AGENT, for a REZONING FROM AR TO PO on a parcel of land lying in Section 23, Township 44 South, Range 41 East, recorded in O.R.B. 3394, Page 500; COMMENCING at the northwest corner of said Section 23; thence S01°21'59"E (S01°22'42"E.C.), along the east line of lands described in O.R.B. 1548, Pages 388 and 389; being a line which terminates on the south line of said Section 23, 228.06 feet east, as measured along said south line, of the southwest corner of said Section 23, a distance of 679.48 feet to the intersection with the south line of the northwest 1/4 of the northwest 1/4 of the northwest 1/4 of said Section 23 and the POINT OF BEGINNING; thence continue S01°21'59"E, along the aforementioned line, a distance of 1,925.95 feet to a point being 2,605.43 feet south, as measured along the last described course, of the northwest corner of said Section 23; thence S89°17'31"E, along the south line of lands described in O.R.B. 2049, Pages 822 and 823, being a line which terminates on the east line of said Section 23, 88.08 feet north, as measured along said east line, of the east 1/4 corner of said Section 23, a distance of 1,289.11 (1,288.61C) feet to the

- 4. 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 \$1,705.00 (31 average trips X \$55.00 per trip).

F. USE LIMITATIONS

- 1. Any illegal material found on site shall be removed within 30 days in a manner acceptable to the Health Department and the Department of Environmental Regulations.
- 2. The waste transfer and recycling station shall not be open to the public.

G. VEGETATION

- 1. All prohibited species shall be eradicated from site.

Commissioner Furley moved for approval of the Resolution.

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

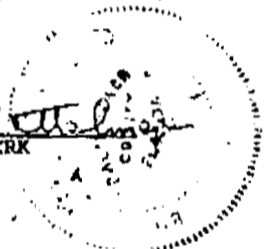
Karen T. Marcus, Chair	--	aye
Carole Phillips	--	aye
Carol A. Roberts	--	aye
Carol J. Elmquist	--	aye
Mary McCarty	--	aye
Ken Foster	--	absent
Maude Ford Lee	--	aye

The Chair thereupon declared the resolution was duly passed and adopted this 7th day of January, 1992.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

BY: [Signature]
COUNTY ATTORNEY

BY: [Signature]
DEPUTY CLERK


Intersection with a line perpendicular to the north line of said Section 23; thence $N00^{\circ}22'11''E$, along said perpendicular line, a distance of 2,611.84 feet to the intersection with the north line of said Section 23; thence $N09^{\circ}17'49''W$, along said north line, a distance of 695.00 feet to the northeast corner of the northwest 1/4, of the northwest 1/4, of the northwest 1/4 of said Section 23; thence $S00^{\circ}53'34''W$ ($S00^{\circ}52'26''W.C.$), along the east line of said northwest 1/4 of the northwest 1/4 of the northwest 1/4, a distance of 679.40 feet to the southeast corner of said northwest 1/4, of the northwest 1/4 of the northwest 1/4; thence $N89^{\circ}36'44''W$, along the south line of said northwest 1/4 of the northwest 1/4 of the northwest 1/4, a distance of 646.24 feet to the POINT OF BEGINNING; TOGETHER WITH, a parcel of land in said Section 23, recorded in O.R.B. 4122, Page 1084, COMMENCING at the northwest corner of said Section 23; thence $S01^{\circ}21'59''E$ ($S01^{\circ}22'42''E.C.$), along the east line of lands described in O.R.B. 1548, Pages 388 and 389 (being a line which terminates on the south line of said Section 23, a distance of 228.06 feet east, as measured along said south line, or the southwest corner of said Section 23) a distance of 679.48 feet to the intersection with the south line of the northwest 1/4 of the northwest 1/4 of the northwest 1/4 of said Section 23; thence continue $S01^{\circ}21'59''E$, along the aforementioned line, a distance of 1,925.95 feet to a point being 2,605.43 feet south of (as measured along the last described course) the northwest corner of said Section 23; thence $S89^{\circ}17'31''E$, along the south line of lands described in O.R.B. 2049, Pages 822 and 823 (being a line which terminates on the east line of said Section 23, a distance of 88.08 feet north, as measured along said east line, of the east 1/4 corner of said Section 23) a distance of 1,289.11 (1,288.61C.) feet to the POINT OF BEGINNING; thence continue $S89^{\circ}17'31''E$, a distance of 2,602.78 feet to the intersection with a line parallel to the said east line of Section 23; thence $N01^{\circ}13'26''E$, along said parallel line a distance of 1,472.50 feet to the southeast corner of the plat of COMMERCE PARK AT WELLINGTON - P.L.D., Plat Book 43, Page 116; thence $N89^{\circ}17'49''W$ along the south line of said Commerce Park, a distance of 1,320.00 feet to the southwest corner of said Commerce Park; thence $N01^{\circ}13'26''E$ along a line parallel with the west line of said Commerce Park, a distance of 565.00 feet to the north line of said Section 23; thence $N09^{\circ}17'49''W$ along the north line of said Section 23, a distance of 784.90 (784.78C.) feet; thence $S00^{\circ}22'11''W$ along a line perpendicular to the north line of said Section 23, a distance of 2,611.84 feet to the POINT OF BEGINNING, and being located on the S SIDE OF PIERSON RD., APPROX. 1.1 MILE W OF 105 AVE S, was approved on September 26, 1991, as advertised, subject to the following voluntary commitments:

A. STANDARD CONDITION

1. The petitioner shall comply with all previous conditions of approval, including original deadlines for Zoning Code Section 402.9 compliance, unless expressly modified herein.
2. Development of the site shall be limited to the uses and site design shown on the exhibit approved by the Board of County Commissioners (Exhibit #45).

B. DEED RESTRICTIONS

1. The Acme Improvement District shall establish deed restrictions enforcing the voluntary commitments contained herein within 120 days of adoption of the resolution approving Zoning Petition No. 79-72(C).