

RESOLUTION R-2000- 0259

RESOLUTION CORRECTING RESOLUTION R-99-0699  
RESOLUTION APPROVING ZONING PETITION OF  
FOUR FLORIDA SHOPPING CENTERS PROPERTIES  
SANDALFOOT PLAZA - GOOD YEAR  
PETITION DOA80-103(I)

WHEREAS, Four Florida Shopping Centers Properties, petitioned the Palm Beach County Board of County Commissioners on April 22, 1999, for a Development Order Amendment (DOA) to add general repair and maintenance use; and

WHEREAS, Resolution R-99-0699, adopted on April 22, 1999, confirming the action of the Board of County Commissioners inadvertently contained errors in Exhibit C; and

WHEREAS, Conditions E.13.A, E.13.B and E.13.C of Exhibit C of Resolution R-99-0699 should have read as follows:

E.13 LANDSCAPE WITHIN MEDIAN OF STATE ROADS

- A. Prior to issuance of a building permit, the property owner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to landscape the adjacent median of ~~Australian Avenue Road Right-of-Ways State Road 7~~. This permit, to be completed by the property owner, shall name Palm Beach County as the applicant. As part of this permit process, the property owner shall enter into a Right of Way, Landscape Maintenance, Removal, and Indemnification Agreement. When landscaping is permitted by the Florida Department of Transportation, landscaping shall, at a minimum, consist of the "Low Cost Planting Concept" outlined in the Palm Beach County Engineering and Public Works Department March 1994 Streetscape Standards. The property owner shall also be responsible to supplement any existing landscape material previously planted in this median and all new landscape material shall be consistent with the landscaping theme adopted for this roadway. All landscape material, installation, and maintenance requirements shall be subject to the standards set forth by the Streetscape Standards. If all xeriscape material is utilized, the watering of the plant material during the initial heal-in period shall be the responsibility of the property owner. Alternative species other than those listed in the County standards may be allowed subject to approval by the County Engineer. (BLDG PERMIT: MONITORING - Eng)
- B. All required median landscaping, including an irrigation system if required, shall be installed at the property owners expense. All existing landscape material shall also be the perpetual maintenance obligation of the petitioner and its successors, heirs or assignees or duly established Property Owner's Association and/or Homeowners's Association. Perpetual maintenance includes, but is not limited to, pruning, fertilizing, irrigation, and alternate watering of Xeriscape material during periods of drought in order to maintain healthy plant material. ~~All landscape material shall be installed prior to the issuance of a certificate of occupancy. If Certificates of Occupancy are requested prior to the final construction of the Australian Avenue Flyover then appropriate surety shall be posted for the landscape planting acceptable to the County Engineer. Landscape plantings shall then be completed within 90 notice to the property owner that~~

~~the construction of the Australian Avenue flyover is completed.~~  
Landscape plantings shall then be completed prior to the issuance of a certificate of occupancy for the additional 5200 square foot General Repair and Maintenance facility. (CO:MONITORING - Eng)

- C. Declaration of Covenants and Restriction Documents evidencing this obligation shall be established or amended as required and shall be approved and recorded prior to the issuance of a building permit for the 5200 square foot General Repair and Maintenance facility. (BLDG PERMIT: MONITORING - Eng)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The foregoing recitals are hereby affirmed and ratified.
2. Conditions E.13.A, E.13.B and E.13.C of Exhibit C of Resolution R-99-0699 are hereby corrected.

Commissioner Roberts moved for the approval of the Resolution.

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

Maude Ford Lee, Chair	-	Aye
Warren Newell, Vice Chair	-	Aye
Karen T. Marcus	-	Aye
Carol A. Roberts	-	Aye
Mary McCarty	-	Absent
Burt Aaronson	-	Aye
Tony Masilotti	-	Absent

The Chair thereupon declared the resolution was duly passed and adopted on February 24, 2000.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY:   
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:   
DEPUTY CLERK

