

RESOLUTION NO. R-2001- 1674

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 1995-22
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-98-410
WHICH APPROVED THE DEVELOPMENT ORDER AMENDMENT
PETITION OF AUTO NATION USA CORP.
PETITION NO. 95-22

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 5.8 of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, pursuant to Section 5.8, Status Report SR 1995-22 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on October 2, 2001; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 1995-22 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, Section 5.8 of the Palm Beach County Land Development Code authorizes the Board of County Commissioners to add or modify conditions of approval; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The project does not meet the Countywide Traffic Performance Standards.
2. With the amendment of conditions of approval, the project will meet the Countywide Traffic Performance Standards.
3. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan, and with the Unified Land Development Code.

WHEREAS, Section 5.3 of the Palm Beach County Land Development Code requires that the action of the Board of County Commissioners 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. SR 1995-22, to amend Conditions of Approval of Resolution No. R-98-410, the development order of Auto Nation USA Corp., Petition No. 95-22(A), which approved a Development Order Amendment to reconfigure site plan and add vehicle sales and rental (requested use) on:

PARCEL 1: THE WEST ½ OF TRACT 28, BLOCK 1, THE PALM BEACH FARMS CO. PLAT NO. 9, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF

THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 5, PAGE 58.

PARCEL 2: THE WEST ½ OF THE EAST ½ OF TRACT 1, BLOCK 4, THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA. RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54.

LESS, HOWEVER, THE FOLLOWING DESCRIBED PARCELS "A" AND "B"

PARCEL "A": THAT PARCEL CONVEYED TO THE STATE TURNPIKE AUTHORITY BY INSTRUMENT RECORDED IN OFFICIAL RECORD BOOK 1118, PAGE 62, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH LINE OF TRACT 1, BLOCK 4, THE PALM FARMS CO. PLAT NO. 3, IN PLAT BOOK 2, PAGES 45 THROUGH 54, PALM BEACH COUNTY, FLORIDA, SAID POINT LYING SOUTH 89°26'14" WEST, A DISTANCE OF 408.83 FEET FROM THE SOUTHEAST CORNER OF SAID TRACT 1;

THENCE CONTINUING SOUTH 89°26'14" WEST, ALONG THE SOUTH LINE OF SAID TRACT 1, A DISTANCE OF 118.34 FEET TO A POINT, THENCE, NORTH 41°02'16" EAST, A DISTANCE OF 184.64 FEET; THENCE, SOUTH 01° 12'16" WEST, A DISTANCE OF 138.15 FEET TO THE POINT OF BEGINNING.

PARCEL "B": THAT PARCEL OF LAND CONVEYED TO THE LAKE WORTH DRAINAGE DISTRICT BY INSTRUMENT RECORDED IN OFFICIAL RECORD BOOK 2279, PAGE 1407, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 75 FEET OF THE WEST ½ OF TRACT 28, BLOCK 1, THE PALM BEACH FARMS CO. PLAT NO. 9, ACCORDING TO THE PLAT THEREOF, ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 5, PAGE 58.

PARCEL 3: THE FOLLOWING DESCRIBED PARCEL OF LAND WHICH HAS BEEN ABANDONED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA BY RESOLUTION NO. B-74-352, RECORDED IN OFFICIAL RECORD BOOK 2308, PAGE 478, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

"BEGIN AT THE NORTHWEST CORNER OF THE WEST ½ OF THE EAST ½ OF TRACT 1, BLOCK 4, THE PALM BEACH COUNTY FARMS CO. PLAT NO. 3 ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, PAGE 46; THENCE NORTH 15 FEET, THENCE WEST 68.87 FEET; THENCE NORTH 15 FEET TO THE SOUTHWEST CORNER OF THE WEST ½ OF TRACT 28, BLOCK 1, THE PALM BEACH FARMS CO. PLAT NO. 9, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 58; THENCE, ALONG THE SOUTHERN BOUNDARY OF SAID TRACT TO THE SOUTHEAST CORNER OF SAID TRACT, THENCE SOUTH 15 FEET, THENCE WEST 87.01 FEET, THENCE SOUTH 15 FEET, TO THE NORTHEAST CORNER OF THE WEST ½ OF THE EAST ½ OF TRACT 1, BLOCK 4, THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 46; THENCE ALONG THE NORTHERN BOUNDARY OF SAID TRACT TO THE NORTHWEST CORNER AND POINT OF BEGINNING."

PARCEL 4: THAT PART OF THE EAST ½ OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 42 EAST, LYING NORTH AND WEST OF THE FLORIDA STATE TURNPIKE AND SUBJECT TO RIGHTS-OF-WAY OF OKEECHOBEE ROAD (SR 704) AND LAKE WORTH DRAINAGE DISTRICT LATERAL CANAL NO. 1.

PARCEL 5: THAT PART OF THE EAST ½ OF TRACT 28, BLOCK 1, PALM BEACH FARMS CO. PLAT NO. 9. A SUBDIVISION IN PALM BEACH COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 5, PAGE 58, LYING NORTHWEST OF THE RIGHT-OF-WAY OF THE SUNSHINE PARKWAY.

THAT PART OF THE EAST 1/4 OF TRACT 1, BLOCK 4, PALM BEACH FARMS CO. PLAT NO. 3, A SUBDIVISION IN PALM BEACH COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, LYING NORTHWEST OF THE RIGHT-OF-WAY OF THE SUNSHINE PARKWAY.

TOGETHER WITH ROADS ADJACENT TO SAID EAST ½ OF LOT 28 AND SAID EAST 1/4 OF TRACT 1, AND

TOGETHER WITH THE HIATUS LYING BETWEEN THE WEST LINE OF THE EAST ½ OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 42 EAST, AND THE EAST LINE OF THE PLATS OF PALM BEACH FARMS CO. PLAT NO. 9 AND PALM BEACH FARMS CO. PLAT NO. 3, LYING NORTH OF THE FLORIDA STATE TURNPIKE.

AREA SUMMARY

PARCEL 1.....	7.69 ACRES
PARCEL 2.....	6.03 ACRES
PARCEL 3.....	0.29 ACRES
PARCEL 4.....	4.00 ACRES
PARCEL 5.....	11.08 ACRES
TOTAL	29.09 ACRES

in the MUPD-Multiple Use Planned Development Zoning District, being located on the southwest corner of Okeechobee Blvd. and the Florida Turnpike in the Zoning District, is approved, subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)
2. Prior to the issuance of the next building permit, the contract shall be let for Okeechobee Boulevard (Benoist Farms Road to the Florida Turnpike) to an eight-lane cross-section, or a CRALLS designation is adopted for Okeechobee Boulevard (Benoist Farms Road to the Florida Turnpike), whichever shall first occur. (BLDG PERMIT: MONITORING - Eng)

Commissioner Marcus moved for approval of the Resolution.

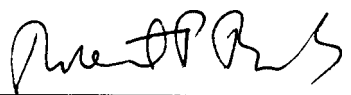
The motion was seconded by Commissioner Roberts and, upon being put to a vote, the vote was as follows:

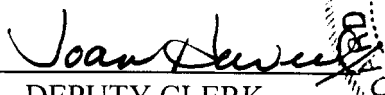
WARREN H. NEWELL, CHAIRMAN	—	Aye
CAROL A. ROBERTS, VICE CHAIR	—	Aye
BURT AARONSON	—	Aye
ADDIE L. GREENE	—	Aye
KAREN T. MARCUS	—	Aye
TONY MASILOTTI	—	Aye
MARY MCCARTY	—	Aye

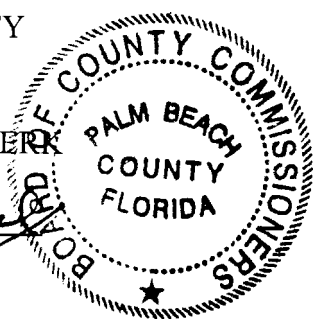
The Chair thereupon declared the resolution was duly passed and adopted this 2 day of October, 2001.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 
COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK
BY: 
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 2 day of October, 2001.