

RESOLUTION NO. R-2004-~~2427~~

RESOLUTION APPROVING ZONING PETITION R2003-099  
(CONTROL NO. 2003099)  
REQUESTED USE  
PETITION OF CHARLES POSTON  
BY DAVID L. CARPENTER & ASSOCIATES, AGENT  
(LANTANA PLAZA)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, 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 Board of County Commissioners, pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067) is authorized and empowered to consider, approve, approve with conditions or deny Requested Uses; and

WHEREAS, the notice and hearing requirements, as provided for in Article 2 of the Palm Beach County Unified Land Development Code have been satisfied; and

WHEREAS, Zoning Petition PDD2003-099 was presented to the Board of County Commissioners at a public hearing conducted on November 18, 2004; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, the recommendations of the various county review agencies, and the recommendations of the Zoning Commission; and

WHEREAS, this approval is subject to Article 2.E (Compliance with Time Limitations) of the Palm Beach County Unified Land Development Code (ULDC) and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Board of County Commissioners has considered the findings in the staff report and the following findings of fact:

1. This Requested Use is consistent with the Palm Beach County Comprehensive Plan, contingent upon the approval of Small Scale Development Amendment No. SCA 2004-00003;
2. This Requested Use complies with relevant and appropriate portions of Article 6, Supplementary Use Standards of the Palm Beach County Unified Land Development Code.
3. This Requested Use is consistent with the requirements of the Palm Beach County Unified Land Development Code.
4. This Requested Use, with conditions as adopted, is compatible as defined in the Palm Beach County Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
5. This Requested Use, with conditions as adopted, complies with standards imposed on it by all other applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.

6. This Requested Use meets applicable local land development regulations.
7. This Requested Use, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
8. This Requested Use has a concurrency determination and complies with Article 2.F, Concurrency of the ULDC.
9. This Requested Use, with conditions as adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
10. This Requested Use, with conditions as adopted, will result in logical, timely and orderly development patterns.

WHEREAS, Article 2 of the Palm Beach County Unified 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 Zoning Petition R2003-099, the petition of Charles Poston, by David L. Carpenter & Associates, agent, for a Requested Use to allow a financial institution in the Multiple Use Planned Development Zoning District, on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on November 18, 2004, subject to the conditions of approval described in EXHIBIT C of PDD2003-099.

Commissioner NEWELL 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:

Karen T. Marcus	- AYE
Tony Masilotti	- AYE
Jeff Koons	- AYE
Warren H. Newell	- AYE
Mary McCarty	- AYE
Burt Aaronson	- AYE
Addie L. Greene	- AYE


The Chair thereupon declared that this resolution shall not become effective until Small Scale Development Amendment No. SCA 2004-00003 (LANTANA/HAVERHILL COMMERCIAL, a.k.a. Lantana Plaza) is effective.

Filed with the Clerk of the Board of County Commissioners on 10th day of JANUARY, 2005.


APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

BY:   
COUNTY ATTORNEY

DOROTHY H. WILKINSON, CLERK  
BY:   
DEPUTY CLERK

Petition R2003-099  
Control No. 2003099  
Project No. 5001-000

Sharon R. Bock, Clerk & Comptroller  
Palm Beach County  
BY:   
Deputy Clerk

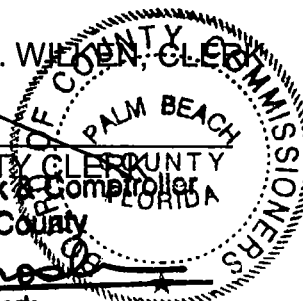


EXHIBIT A

LEGAL DESCRIPTION

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The west half of lots 14 and 15, subdivision of the southwest quarter of section 36, Township 44 South, Range 42 East, Palm Beach County Florida according to the plat thereof on file in the office of the Clerk of Circuit Court in and for Palm Beach County, Florida as recorded on Plat Book 3 Page 10 less the right of way of record for Lantana Road and Haverhill Road; and less the following described parcel for Nash Trail Right of Way:

Commencing at the southwest corner of Section 36, Township 44 South, Range 42 East, Palm Beach County Florida thence North 02 08' 51" East (State Plane Grid Bearing Datum) along the west line of the southwest quarter of Section 36 a distance of 1387.05 feet to the Northwest corner of Lot 14, as recorded in Plat Book 3 Page 10; thence continue South 88 06' 16" East along the north line of Lot 14, a distance of 41.1 feet to the point of beginning of the parcel described herein; thence continue South 88 06' 16" East along the north line of Lot 14, a distance of 295.01 feet to the east line of the west half of Lot 14, a distance of 30 feet; thence North 88 06' 16" West along a line that is 30 feet south of and parallel with the north line of Lot 145, a distance of 296.35 feet; thence South 48 16' 55" West, 34.49 feet to the east line of Parcel 22, as described in Official Records Book 12022, Page 197, Public Records of Palm Beach County; thence North 04 40' 06" East along the east line of said Parcel 22, a distance of 30.04 feet; thence North 48 16' 56" East, along said east line 34.49 feet to the point of beginning.

EXHIBIT B  
VICINITY SKETCH

