

RESOLUTION NO. R-2006-0743

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. SR 2000-096  
TO APPROVE A DEVELOPMENT ORDER AMENDMENT  
FOR PROPERTY PREVIOUSLY GRANTED A CONDITIONAL USE "A" BY  
RESOLUTION NO. R-2001-1351  
APPROVING THE PETITION OF PBC BCC FD&O  
PETITION NO. 2000-096

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; and

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

WHEREAS, pursuant to Article 2.E., Status Report SR 2000-096 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on April 27, 2006; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 2000-096 and considered testimony, and the recommendations of the various county review agencies; and

WHEREAS, Article 2.E. authorizes the Board of County Commissioners to approve Development Order Amendments; and

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

1. Article 2.E. only permits the approval of a time extension if a development order is consistent with the Unified Land Development Code, or can be made consistent by the amendment of conditions of approval.
2. The project can only meet the Countywide Traffic Performance Standards with the addition of a new condition of approval.
3. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and the Unified Land Development Code.

WHEREAS, Section 5.3 of the 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 2000-096, to approve a Development Order Amendment to amend conditions of approval, amending the development order previously granted by the approval of the petition of PBC BCC FD&O, Petition No. 2000-096, confirmed by the adoption of Resolution R-2001-1351, which

approved a Class A Conditional Use (CA) to exceed 100,000 sq. ft., on A PARCEL OF LAND IN SECTION 32, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA; THENCE NORTH 0° 05' 28" EAST, ALONG THE ALONG THE EAST LINE OF SAID SECTION 32 A DISTANCE OF 100.06 FEET; THENCE NORTH 87° 53' 48" WEST, A DISTANCE OF 100.06 FEET; THENCE NORTH 0° 05' 28" EAST, A DISTANCE OF 85.00 FEET TO A POINT ON THE LIMITED ACCESS RIGHT-OF-WAY LINE RECORDED IN OFFICIAL RECORD BOOK 2112, PAGE 1709 IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE SOUTH 84° 53' 05" WEST, A DISTANCE OF 676.04 FEET; THENCE NORTH 87° 53' 48" WEST, A DISTANCE OF 554.65 FEET TO THE BEGINNING OF A CURVE WHOSE RADIUS POINT BEARS NORTH 2° 06' 12" EAST, A DISTANCE OF 302.06 FEET; THENCE NORTHWEST ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 75° 00' 00" A DISTANCE OF 395.40 FEET; THENCE NORTH 12° 53' 48" WEST, A DISTANCE OF 229.89 FEET TO THE BEGINNING OF A CURVE WHOSE RADIUS POINT BEARS NORTH 77° 06' 12" EAST, A DISTANCE OF 240.00 FEET; THENCE NORTHEAST ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 71° 44' 08" A DISTANCE OF 300.49 FEET TO THE POINT OF CURVATURE OF A REVERSE CURVE, WHOSE RADIUS POINT BEARS NORTH 31° 09' 40" WEST, A DISTANCE OF 1444.35 FEET; THENCE NORTHEAST ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 44° 40' 41", A DISTANCE OF 1126.27 FEET; THENCE SOUTH 78° 01' 17" EAST, A DISTANCE OF 80.00 FEET; THENCE SOUTH 8° 00' 00" EAST, A DISTANCE OF 132.00 FEET; THENCE SOUTH 68° 00' 00" EAST, A DISTANCE OF 205.00 FEET; THENCE SOUTH 48° 05' 00" EAST, A DISTANCE OF 170.00 FEET; THENCE SOUTH 78° 17' 00" EAST, A DISTANCE OF 60.00 FEET; THENCE SOUTH 07° 30' 00" WEST, A DISTANCE OF 210.00 FEET; THENCE SOUTH 67° 00' 00" EAST, A DISTANCE OF 40.00 FEET; THENCE SOUTH 14° 00' 00" WEST, A DISTANCE OF 40.00 FEET; THENCE SOUTH 40° 00' 00" EAST, A DISTANCE OF 90.00 FEET; THENCE SOUTH 35° 00' 00" WEST, A DISTANCE OF 60.00 FEET; THENCE SOUTH 00° 00' 00" EAST, A DISTANCE OF 155.00 FEET; THENCE NORTH 90° 00' 00" EAST, A DISTANCE OF 155.00 FEET; THENCE SOUTH 0° 00' 00" EAST, A DISTANCE OF 235.00 FEET; THENCE SOUTH 29° 54' 32" EAST, A DISTANCE OF 300.00 FEET; THENCE SOUTH 00° 05' 28" WEST, A DISTANCE OF 179.50 FEET TO THE POINT OF BEGINNING.

CONTAINS; 35.813 ACRES (1, 560, 015 SQUARE FEET), MORE OR LESS, being located on the northeast corner of Southern Boulevard and Australian Avenue, in the Public Ownership (PO) Zoning District, is approved subject to the following conditions of approval:

1. All previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)
2. No building permits for the 159,000 sf Office Building shall be issued until either:
  - a. A CRALLS designation is adopted for the Australian Avenue link from Belvedere Road to Southern Boulevard and for the Belvedere/Australian intersection; OR
  - b. Contracts have been let for the following intersection improvements:
    - 1) At the Southern Blvd and Australian Avenue intersection:  
  
Additional left turn lane, east approach and additional left turn lane, west approach

2) At the Belvedere Road and Australian Avenue intersection:

Additional left turn lane and through lane, south approach  
additional through lane, north approach  
additional left turn lane and through lane, east approach  
additional through lane, west approach

3) The above mentioned intersection improvements shall include appropriate receiving lanes.

(BLDG PERMIT: MONITORING – Eng)

Commissioner Marcus moved for approval of the Resolution.

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

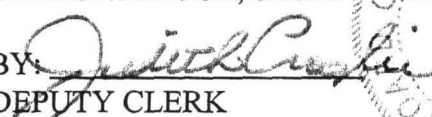
TONY MASILOTTI, CHAIRMAN	—	Absent
ADDIE L. GREENE, VICE CHAIRPERSON	—	Aye
JEFF KOONS	—	Aye
WARREN H. NEWELL	—	Aye
MARY MCCARTY	—	Absent
BURT AARONSON	—	Aye
KAREN T. MARCUS	—	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 27th day of April, 2006.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY COMMISSIONERS

BY:   
COUNTY ATTORNEY

SHARON R. BOCK, CLERK AND COMPTROLLER  
BY:   
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 27th day of April, 2006.