

RESOLUTION NO. R-84-52

RESOLUTION APPROVING ZONING PETITION 73-163(A), Special Exception

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 Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 73-163(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 29th September 1983; and

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

1. The proposed deletion of the portion of Condition No. 1 relating to a frontage road along Lake Worth Road is consistent with the Thoroughfare Plan.
2. The proposed revisions to the site plan and increase in floor area is permissible under the provisions of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 29th day September 1983, that Petition No. 73-163(A) the petition of FIRST NATIONWIDE SAVINGS AND POINCIANA PLAZA, INC., By Lawrence D. Wingate, Agent, to DELETE THE FOLLOWING SPECIAL CONDITION PLACED ON ZONING PETITION NO. 73-163:

Condition No. 1 States:

Prior to the issuance of any building permits the developer shall dedicate to Palm Beach County the additional right-of-way required to provide for a one hundred twenty (120) foot right-of-way for Lake Worth Road (S. R.802) and the forty (40) feet required for the frontage road.

Request: Delete Condition No. 1:

AND THE FURTHER SPECIAL EXCEPTION TO AMEND THE SITE PLAN PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 73-163 on Tract 73, Block 22, Palm Beach Farms Company Plat No. 3, in Section 27, Township 44 South, Range 42 East as recorded in Plat Book 2, Page 47. Said property located on the north side of Lake Worth Road (S. R. 802), approximately .4 mile west of Jog Road was approved subject to the following conditions:

1. The development shall retain onsite 85% of the storm water runoff generated by a three (3) year storm Per requirements of the Permit Section, Land Development Division.
2. Direct access to this property shall be limited to Via Poinciana. Any access to Lake Worth Road shall be through the adjoining property to the east.
3. The developer shall contribute \$4,625.00 per 1,000 square feet of financial institution and \$687.50 per 1,000 square feet of medical office to be paid at the time of issuance of building permits toward the cost of meeting this project's direct and identifiable traffic impact.
4. The developer shall take reasonable precautions during the development of this property to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties.
5. The developer shall take necessary measures during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters.
6. prior to Site plan certification, the petitioner shall submit, on a single drawing, a revised site plan providing for improved circulation and cross visibility on the Bank parcel and for the required landscapistrip and 6 ft. high screening wall on the north side of the medical office parcel.

Commissioner Bailey, moved for approval, of the petition. The motion was seconded by Commissioner Koehler and upon being put to a vote, the vote was as follows:

Peggy E. Evatt, Chairman	--	AYE
Ken Spillias, Vice Chairman	--	ABSENT
Dennis P. Koehler, Member	--	AYE
Dorothy Wilken, Member	--	AYE
Bill Bailey, Member	--	AYE

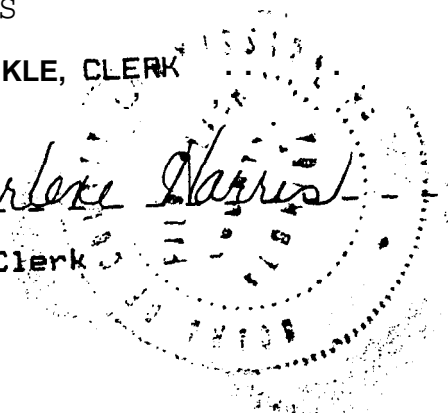
The foregoing resolution was declared duly passed and adopted this 10th day of Jan., 1984, confirming action of 29th September 1983.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: _____

Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

John Corbett -----
County Attorney