

RESOLUTION NO. R- 85-24

RESOLUTION APPROVING ZONING PETITION 83-118(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. 83-118(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 23rd of August 1984; 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 proposal is consistent with the requirements 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 the 23rd of August 1984, that Petition No. 83-118(A) the petition of JAMES FULLWOOD AND HUGH McCALL By Kevin McGinley, Agent, for a SPECIAL EXCEPTION TO EXPAND AND AMEND THE SITE PLAN FOR A PLANNED COMMERCIAL DEVELOPMENT, INCLUDING AN OFFICE/WAREHOUSE COMBINATION APPROVED UNDER ZONING PETITION NO. 83-118 on part of the Southwest 1/4 of Section 29, Township 43 South, Range 43 East, being more particularly described as follows:

Beginning at a point that is North 01 degrees 32'39" East 1473.61 feet and South 88 degrees 30'56" East 234.30 feet from the Southwest corner of said 1/4 Section, said point being on the East right-of-way line of Old Congress Avenue as recorded in O.R. Book 1421, pages 307 through 316, inclusive, thence continue South 88 degrees 30'56" East

260.40 feet; thence North 01 degrees 32'39" East 241.81 feet; thence South 88 degrees 26'56" East 20.30 feet; thence North 01 degrees 32'39" East 165.00 feet; thence South 88 degrees 26'57" East 145.00 feet; thence North 01 degrees 32'39" East 165.00 feet; thence North 88 degrees 26'57" West 440.44 feet to a point on the aforesaid East right-of-way line of Old Congress Avenue; said point also being on a curve to right having a radius of 392.54 feet and a central angle of 03 degrees 49'23", said point being North 86 degrees 19'57" East 392.54 feet from the centerpoint of said curve; thence Southerly along said East right-of-way line and along the arc of said curve 26.19 feet to the point of tangency thereof, said point of tangency being South 89 degrees 50'40" East 392.54 feet from the centerpoint of said curve; thence South 00 degrees 09'20" West continuing along said East right-of-way line 546.13 feet to the Point of Beginning.

Further subject to the following described easement:

A parcel of land for sign purposes over and across a part of the Southwest 1/4 of Section 29, Township 43 South, Range 43 East, being more particularly described as follows:

Beginning at a point that is North 01 degrees 32'39" East 1473.61 feet and South 88 degrees 30'56" East 234.30 feet from the Southwest corner of aforesaid Section 29, said point of beginning being an intersection point of the East right-of-way of Old Congress Avenue, as now laid out and in use, and the North line of Riviera Boulevard, a Private Entrance Road for Riviera Colony Mobile Home park, thence South 88 degrees 30'56" East along the said North line of Riviera Boulevard, 25.00 feet to a point; thence North 00 degrees 09'20" East 25.00 feet to a point; thence North 88 degrees 30'56" West 25.00 feet to a point, said point lying on the said East right-of-way of Old Congress Avenue; thence South 00 degrees 09'26" West 25.00 feet to the Point of Beginning. Said property located on the east side of Old Congress Avenue, approximately .3 mile north of Belvedere Road was approved as advertised subject to the following conditions:

1. The developer shall retain on-site 85% of the stormwater runoff generated by a three (3) one hour storm per requirements of the Permit Section, Land Development Division.

2. The developer shall pay a Fair Share Fee in the amount and manner

required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. Presently The Fair Share Fee for this additional project is \$1250.00.

3. The developer shall comply with all conditions previously approved by the Board of County Commissioners.

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

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

The foregoing resolution was declared duly passed and adopted this day of January 8, 1985 confirming action of the 23rd of August 1984.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Marlene Harris*  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

*Sandy Sprague*  
County Attorney