

RESOLUTION CLARIFYING CONDITION NUMBER 13 OF  
RESOLUTION NO. R-87-1120-A  
APPROVING ZONING PETITION OF  
TIMOTHY C. SULLIVAN AND THOMAS RALPH BROWNING  
FOR A SPECIAL EXCEPTION  
PETITION NO. 87-30

WHEREAS, TIMOTHY C. SULLIVAN and THOMAS RALPH BROWNING by David L. Carpenter, Agent, petitioned the Palm Beach County Planning Commission and the Board of County Commissioners, sitting as the final zoning authority, on March 6, 1987, and March 27, 1987, respectively, for a SPECIAL EXCEPTION TO ALLOW A LARGE SCALE COMMUNITY SHOPPING CENTER IN EXCESS OF 50,000 SQUARE FEET OF TOTAL FLOOR AREA.

WHEREAS, Resolution No. R-87-1120-A adopted July 28, 1987, confirming the action of the Board of County Commissioners sitting as the final zoning authority on March 27, 1987, contained a condition which wording may not have clearly expressed the intent of the Board of County Commissioners; and

WHEREAS, said condition, being Condition Number 13, was previously worded as follows:

"13. A minimum of twenty thousand (20,000) square feet of gross leasable area shall remain as a furniture store or other use having similar traffic generation rates."

WHEREAS, on July 26, 1990, pursuant to Administrative Inquiry AI-90-4, the Board of County Commissioners reviewed the wording of Condition Number 13 in light of the record from the March 27, 1987, Zoning Hearing, as well as the recollections of those remaining Commissioners which were present at the 1987 Hearing; and

WHEREAS, it was concluded that the Board of County Commissioners had intended that the westernmost building, which consists of approximately 20,000 square feet of gross leasable area, remain as a furniture store or other use having similar traffic generation rates; and

WHEREAS, Condition Number 13 of said zoning resolution is hereby specifically clarified to read as follows:

"13. The westernmost building (containing approximately 20,000 square feet of gross leasable area) shall be used as a furniture store or other use having similar traffic generation rates."

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The foregoing recitals are hereby affirmed and ratified.
2. Condition Number 13 of Resolution No. R-87-1120-A has been clarified as referenced above.

Marcus, who moved its adoption. The motion was seconded by Commissioner Howard, and upon being put to a vote, the vote was as follows:

Carol Elmquist, Chair	--	AYE
Ron Howard	--	AYE
Karen Marcus	--	AYE
Carole Phillips	--	AYE
Carol Roberts	--	AYE

The Chairman thereupon declared the resolution duly passed and adopted this 28 th day of August, 1990.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. LUNKLE, CLERK

BY: Vicki Berong  
Deputy Clerk

AMENDS

R-87-1120A

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

Richard Atter  
County Attorney