

29/44/42

RESOLUTION NO. **R-91- 527**

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. CR **89-53/21**
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. **R-90-63**
WHICH APPROVED THE SPECIAL EXCEPTION OF INTERCHANGE PARTNERS
PETITION NO. **89-53**

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.

WHEREAS, the notice and hearing requirements as provided for in Section **402.6** of the Palm Beach County Zoning Code have been satisfied; and

WHEREAS, pursuant to Section **402.6**, Status Report CR **89-53/21** was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at a public hearing conducted on November **29, 1990**; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, has reviewed Status Report CR **89-53/21** and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, Section **402.6** of the Palm Beach County Zoning Code authorizes the Board of County Commissioners, sitting as the Zoning Authority, to add **or** modify conditions of approval; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, made the following findings of fact:

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations; and
2. The conditions listed below require this petition to develop more in conformity with current standards of development.

WHEREAS, Section **402.5** of the Zoning Code requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, 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. CR **89-53/21**, amending Conditions of Approval of Resolution No. **R-90-63**, the Special Exception of Interchange Partners, Petition No. **89-53**, on a parcel of land lying on the South **239.34** feet of the East **182.00** feet of described parcel: Tract **64**, Block **24**, Palm Beach Farms Plat NO.3 Plat **Book 2**, pages **45** to **54**, as follows: Beginning at the Southwest corner of Tract **64** for the point of beginning; thence run Northerly along the West line of said Tract a distance of **660.00** feet, to the Northwest corner thereof; thence run Easterly along the North line of said Tract **329.28** feet to a point; thence run Southerly a distance a distance of **660.00** feet, more or less, to a point in the South line of said Tract; thence run Westerly **329.62** feet along the South line of said Tract to thee point of beginning; less State Road **802** Right-of-way and less the following described portion. Commencing at the intersection of West line of said Tract **64**, and the North Right-of-way line of State Road No. **802** (Lake Worth Road), thence Northerly along the West line of Tract **64**, West

Block 24, a distance of 188.00 feet to the Point of Beginning; thence continue Northerly, along the West line of said Tract 64, a distance of 55.26 feet to a point; thence Easterly, making an angle with the preceding course of 80 Degrees 27' 25" measured from South to East, a distance of 25.02 feet to a point; thence Southerly, at right angles to the preceding course, a distance of 54.50 feet to a point; thence Westerly, at right angles to the preceding course, a distance of 15.86 feet to the point of beginning, being located on the northwest corner of Lake Worth Road (40th Street South) and the Sunshine State Parkway (Florida's Turnpike) in a CG-General Commercial Zoning District, is approved, subject to the following conditions:

1. The petitioner shall comply with all previous conditions of approval unless expressly modified herein.
2. Condition No. 21 (Resolution R-90-63) which presently states:

"21. The property owner shall convey to the Lake Worth Drainage District an additional 10 feet in width along the east side of the subject property for the required right-of-way for Equalizing Canal No. 2-W, by Quit Claim Deed or an Easement Deed in the form provided by said District within ninety (90) days of the approval of the Resolution approving this project."

is hereby deleted.

Commissioner Elmquist moved for approval of the Resolution.

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

KAREN T. MARCUS, CHAIR	--	Aye
CAROL J. ELMQUIST	--	Absent
CAROL ROBERTS	--	Aye
CAROLE PHILLIPS	--	Absent
MARY MCCARTY	--	Aye
KEN FOSTER	--	Aye
MAUDE FORD LEE	--	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 23rd day of April, 1991.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: *Barbara Altman*

JOHN B. DUNKLE, CLERK

BY: *Linda C. Hickman*

(orig. Zon. Authority date: 7-27-89)