

RESOLUTION NO. R-76-1168

RESOLUTION APPROVING ZONING PETITION

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. 76-170 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 2 December, 1976.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 2d day of December, that petition No. 76-170 the petition of ARVIDA CORPORATION by William R. Boose, Attorney, for the REZONING, FROM AG-AGRICULTURAL DISTRICT TO CS-SPECIALIZED COMMERCIAL DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED PROFESSIONAL OFFICE-BUSINESS PARK, INCLUDING BUT NOT LIMITED TO THE FOLLOWING USES: MEDICAL-DENTAL OFFICES, CLINIC, LABORATORIES, SURGICAL CENTER, EXTENDED CARE CENTER AND ACCESSORY AREAS AND FACILITIES on a parcel of land lying in Section 23, Township 47 South, Range 42 East being more particularly described as follows: Commencing at the Northeast corner of said Section 23, thence South $89^{\circ} 30' 16''$ West, along the North line thereof, a distance of 364.63 feet to a point on the Westerly Right-of-Way line of Military Trail Extension (S.R. 809) as recorded in Road Plat Book 4, pages 139 to 142, inclusive, said point being further described as being on the arc of a circular curve to the right, whose radius point bears North $53^{\circ} 16' 28''$ West from the last described point; thence Southerly and Westerly, along the arc of said curve, having a radius of 1577.02 feet, an arc distance of 489.51 feet to the Point of Tangency; thence

South 54° 30' 37" West, a distance of 1063.00 feet to the Point of Beginning of this description; thence continue South 54° 30' 37" West, along said Westerly Right-of-way line, a distance of 239.67 feet to the Point of Curvature of a circular curve to the left; thence Southerly and Westerly, along the arc of said curve, having a radius of 1969.86 feet, an arc distance of 1182.30 feet; said point being further described as being on the East Right-of-way line of Old State Road No. 808 as recorded in Official Record Book 1737, Page 200 of the Public Records of Palm Beach County, Florida; thence North 00° 23' 59" West, along said East Right-of-way line, a distance of 1368.25 feet; thence North 89° 36' 01" East, a distance of 505.29 feet to the Point of Curvature of a circular curve to the right; thence Southerly and Easterly, along the arc of said curve, having a radius of 416.92 feet, an arc distance of 399.56 feet to the Point of Tangency; thence South 35° 29' 23" East, a distance of 118.67 feet; thence South 09° 30' 37" West, a distance of 35.36 feet to the Point of Beginning of this description. Said property located on the northwest side of Military Trail Extension (S.R. 809) approximately 500 feet south of LWDD Canal L46, was approved as advertised subject to the following special conditions:

1. Developer shall provide drainage easement through Lake system, providing outfall to Lake Worth Drainage Canal E-3 for adjacent properties.
2. Developer shall be required to plat the subject property.
3. Developer shall install a traffic signal at the intersection of Military Trail (S.R. 809) and Boca West Road (relocated) to accommodate traffic volume generated by the Regional Shopping Center and the subject development, when warranted by traffic volume, as determined by the County Engineer.
4. Developer shall construct two (2) lanes of Boca West Road (relocated) with County participation of a compacted base and wearing surface between Military Trail and Boca West Road. Palm Beach County's participation shall be limited to \$10,500.00, any additional expense shall be paid by the Petitioner.
5. Developer shall construct two (2) additional lanes of Boca West Road (relocated) from Military Trail to the present Boca West Road to accommodate traffic generated from the development of the Regional Shopping Center when warranted by traffic volumes.

6. Developer shall construct at the intersection of Military Trail and Boca West Road (relocated):

- a) Right turn lane, west approach
- b) Dual left turn lanes, south approach, when warranted, or in conjunction with the four (4) laning of Boca West Road (relocated) whichever comes first.
- c) Right turn lane, north approach.

7. Developer shall construct a left turn, east approach at the intersention of Boca West Road (relocated) and the development's main entrance, when warranted.

8. Developer shall construct a left turn lane, south approach, at the intersection of Military Trail and the development's entrance road.

9. Developer shall convey to Palm Beach County within ninety (90) days from the approval of the Special Exception Site Plan, ninety (90) feet of right-of-way for Boca West Road (relocated).

10. The County agrees to accept the petition to abandon Boca West Road from the present intersection with Military Trail north to the point of relocation, provided that the petition for abandonment complies with all applicable laws and ordinances. The County further agrees to process the petition in a timely manner.

11. Petitioner shall seek a binding letter of determination from the Division of State Planning, that Petition NO. 75-170, 76-171 and 76-172 either singularly or collectively do not constitute a Development of Regional Impact (DRI). In the event this determination is not made, that the Petitioner agrees to reprocess the above numbered petitions according to those procedures applicable to Development's of Regional Impact.

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:

Peggy B. Evatt	Yes
Lake Lytal	Yes
Dennis P. Koehler	yes
William Medlen	Absent
Bill Bailey	Yes

The foregoing resolution was declared duly passed and adopted this 14th day of December , 1976, confirming action of 2 December, 1976.'

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

Wm. D. Hill
COUNTY ATTORNEY

By Richard L. ...
Deputy Clerk

