

RESOLUTION NO. R-76- 1170

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. 76-172 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. 76-172 the petition of ARVIDA CORPORATION by William R. Boose, Attorney, for the REZONING FROM AG-AGRICULTURAL DISTRICT TO CG-GENERAL COMMERCIAL DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A RECREATIONAL COMMERCIAL PARK INCLUDING BUT NOT LIMITED TO THE FOLLOWING USES: RESTAURANT AND LOUNGE, ROLLER SKATING AND ICE SKATING PAVILION, HEALTH SPA, OUTDOOR ENTERTAINMENT AREA, MINIATURE GOLF COURSE, SUPERSLIDE, BOWLING ALLEY, GAME ROOM, HANDBALL, RACKET BALL, TENNIS CENTER AND OTHER ASSOCIATED RECREATION FACILITIES, AMUSEMENTS, ATTRACTIONS AND EXHIBITS 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° 30' 16" West, along the North line thereof, a distance of 364.63 feet to a Point on the Westerly RightofWay line of Military Trail Extension (S.R. 809) as recorded in Road Plat Book 4, Pages 139 to 142, said point being further described as being on the arc of a circular curve to the right whose radius point bears North 53° 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 177.49 feet to the Point of Beginning of this description; thence continue Southerly and Westerly along; the extension of said curve, having a radius of 1577.02 feet, an arc distance of 312.02 feet to the Point of Tangency; thence South $54^{\circ} 30' 37''$ West, a distance of 923.00 feet, along said Westerly Right-of-way line of Military Trail Extension; thence North $80^{\circ} 29' 23''$ West, a distance of 35.36 feet; thence North $35^{\circ} 29' 23''$ West, a distance of 118.67 feet to the Point of Curvature of a circular curve to the left; thence Northerly and Westerly, along the arc of said curve, having a radius of 506.92 feet, an arc distance of 216.05 feet; thence North $18^{\circ} 25' 09''$ West, a distance of 33.12 feet; thence North $23^{\circ} 04' 17''$ East, a distance of 83.99 feet to the Point of Curvature of a circular curve to the right; thence Northerly and Easterly, along the arc of said curve, having a radius of 162.36 feet, an arc distance of 115.25 feet to the Point of Tangency; thence North $63^{\circ} 44' 36''$ East, a distance of 160.29 feet to the Point of Curvature of a circular curve to the left, thence Easterly and Northerly, along the arc of said curve, having a radius of 400.85 feet, an arc distance of 309.39 feet to a point on the South line of Florida Power & Light Co. easement, as recorded in Official Record Book 1267, Page 2567; thence North $89^{\circ} 30' 16''$ East, along said South line of Florida Power & Light Co. easement, being parallel with and 135.00 feet South of the North line of said Section 23, a distance of 804.23 feet to the Point of Beginning of this description. Said property located on the northwest side of Military Trail (S.R. 809) approximately 75 feet South of LWDD Canal L46, was approved as advertised subject to the following special conditions:

1. Developer shall be required to plat the subject property.
2. Developer shall obtain drainage easement through land in Petition No. 76-170 for legal positive outfall to Lake Worth Drainage District Canal E-3.

3. Developer shall construct a left turn lane, south approach, at the intersection of Military Trail and Boca West Road (relocated).
4. Developer shall construct a left turn lane, south approach, at the intersection of Military Trail and the middle entrance road.
5. Developer shall install a traffic signal at the intersection of Military Trail and Boca West Road (relocated) to accommodate traffic volume generated by the Regional Shopping Center and subject development, when warranted by traffic volume as determined by the County Engineer.
6. Developer shall construct two (2) lanes of Boca West Road (relocated) with the 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, any additional expense shall be paid by the petitioner.
7. Developer shall convey to Palm Beach County within ninety (90) days from approval of the Special Exception Site Plan, ninety (90) feet of right-of-way for Boca West Road (relocated).
8. 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.
9. Petitioner shall seek a binding letter of determination from the Division of State Planning, that Petition No. 76-170, 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 Developments of Regional Impact.

Commissioner Bailey moved for approval of the petition. The motion was seconded by Commissioner Evatt, 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	Yes
Bill Bailey	Yes

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

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

William L. [Signature]
County Attorney

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By [Signature]
Deputy Clerk

