

RESOLUTION NO. R-7.7-483

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. 77-48 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28 April 1977

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 28th day of April, 1977, that petition No. 77-48 the petition of DANIEL L. BAKST, TRUSTEE, by William R. Boose, III, Attorney for the REZONING, FROM AG- AGRICULTURAL DISTRICT TO CG-GENERAL COMMERCIAL DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT INCLUDING A LARGE SCALE COMMUNITY SHOPPING CENTER, AUTO SERVICE STATION, CAR WASH, TWO (2) FINANCIAL INSTITUTIONS, INTERIM ON-SITE SEWAGE TREATMENT PLANT AND INTERIM ON-SITE WATER TREATMENT PLANT on a parcel of land in Tracts 21 and 22, Block 8, and Tracts 5 and 6, Block 10, inclusive of a portion of that certain 50 foot right-of-way which is centered on the East-West Block line between Blocks 8 and 10, all according to the Palm Beach Farms Company Plat No. 3, in Section 6, Township 44 South, Range 42 East, as recorded in Plat Book 2, Page 46, being more particularly described as follows: Begin at the Southwest corner of said Tract 6, Block 10; thence North 89° 22' 39" East, along the South line of said Tracts 6 and 5, Block 10, a distance of 760.04 feet; thence North

02° 58' 25" East, a distance of 1660.53 feet to the intersection with a line which is 130.00 feet South of and parallel with the centerline of the West Palm Beach Canal; then'ce North 88° 30' 46" West, along said parallel line a distance of 790.00 feet to the intersection with the West line of said Tract 21, Block 8; thence South 01° 53' 40" West, along the West lines of said Tracts 21 and 22, Block 8 and Tract 6, Block 10, a distance of 1185.25 feet; thence South 01° 57' 46" West, continuing along said West line, a distance of 502.24 feet to the Point of Beginning; **SUBJECT** to the required right-of-way for Lake Worth Drainage District Canal E-1 over the Westerly 40.00 feet of the above described parcel of land. Said property located at the southeast corner of the intersection of S.R. 7 (U.S. 441) and Southern Boulevard (S. R. 80), was approved as advertised subject to the following special conditions:

1. Developer shall construct at the intersection of State Road 7 and the south entrance:

- a) left turn lane north approach.
- b) right turn lane south approach.
- c) a three (3) lane entrance road.
- d) signalization if warranted as determined by the County Engineer.

2. Developer shall construct at the intersection of State Road 7 and the north entrance:

- a) left turn lane north approach.
- b) right turn lane south approach.
- c) a four (4) lane entrance road.
- d) signalization if warranted as determined by the County Engineer.

3. Developer shall construct at the intersection of State Road 7 and State Road 80 the following improvements according to this phasing schedule:

- a) up to 30,000 square feet (gross floor area) no improvements are required.
- b) up to 45,000 square feet (gross floor area), separate right and left turn lanes required on the north, east and west approaches.
- c) up to 100,000 square feet (gross floor area), separate right and left turn lanes required on all four (4) approaches. This would result in the widening of the bridge on the south approach.
- d) over 100,000 square feet (gross floor area) all approaches would require four (4) laning of State Road 7 and State Road 80 with separate turn lanes added.

4. the total gross floor area for this project be limited to 200,000 square feet.

5. A separate site plan shall be submitted and approved for each Financial Institution to properly provide stacking for drive-in windows,

6. Developer shall provide 30,000 G.P.D. on-site water and sewer plants, meeting all State Board of Health, Department of Environmental Regulation and Palm Beach County Utilities Division requirements.

7. Both plants shall be maintained and operated by Palm Beach County and subsidized by the developer as required.

8. A Removal Bond will be posted by the developer to Palm Beach County to insure that both facilities will be removed at that point in time when the County's Regional System can provide service at this site.

9. The developer shall place with Palm Beach County, a Letter of Credit reserving 30,000 G.P.D. of water and sewer capacity in the Regional System in the amount of sixty thousand dollars (\$60,000).

10. Prior to the issuance of the final Certificate of Occupancy for Phase 4, Developer shall have planted 432 trees, a minimum of eight (8) feet high on this site.

Commissioner Bailey, moved for approval of the petition.

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

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| Lake Lytal, Chairman | - | Yes |
| Peggy Evatt, V. Chairman | - | Absent |
| William Medlen | - | Yes |
| Dennis Koehler | - | Yes |
| Bill Bailey | - | Yea |

The foregoing resolution was declared duly passed and adopted this 17th day of May, 1977, confirming action of 28 April 1977.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Richard Van Cittern*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

William D. ...
County Attorney

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