

RESOLUTION NO. R- 79-102

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. 78-261 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28 December 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 28th day of December, 1978, that petition No. 78-261 the petition of ANTHONY RENALDO, TRUSTEE, by Conrad J. DeSantis, Attorney, for the REZONING, FROM RH-RESIDENTIAL MULTIPLE FAMILY DISTRICT (HIGH DENSITY) TO CG-GENERAL COMMERCIAL DISTRICT of a parcel of land in the Southeast 1/4 of the Southwest 1/4 lying West of U.S. Highway No. 1, Section 33, Township 41 South, Range 43 East, more particularly described as follows: Beginning at a point in the West line of the Southeast 1/4 of the Southwest 1/4 of Section 33, said point being 30 feet Northerly, measured at right angles, from the South line of said Section 33; thence Northerly along the West line of said Southeast 1/4 of the Southwest 1/4 of Section 33, a distance of 634.72 feet to a point in the South line of land heretofore conveyed to Jack I. Weissman and Minnie Weissman, his wife; thence Easterly, parallel to the South line of said Section 33; and along the South line of said Weissman's land, 669.00 feet, more or less to a point in the centerline of U.S. Highway No. 1; thence Southwesterly along the centerline of said U.S. Highway No. 1, a distance of 658.65 feet, more or less, to a point in said line parallel to and 30 feet North of the South

line of said Section 33; thence Westerly along said parallel line 516.4 feet, more or less, to the Point of Beginning; less and excepting from the above described property, property sold by James J. Reddy to Blondell Hospital House, Inc., described as follows: the North 58 feet of the South 664.74 feet of the Southeast 1/4 of the Southwest 1/4, lying West of U.S. Highway No. 1, in Section 33, Township 41 South, Range 43 East, being the North 58 feet of property purchased by James J. Reddy from Suburban Palm Beach, Inc.; also less **all** that part of the above described parcel lying East of a line 250.0 feet West of, as measured at right angles to, the West right-of-way line of U.S. Highway No. 1 (as now laid out and in use), AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A LARGE SCALE COMMUNITY SHOPPING CENTER INCLUDING A DRIVE-IN RESTAURANT on a parcel of land in the Southeast 1/4 of the Southwest 1/4 lying West of U.S. Highway No. 1, Section 33, Township 41 South, Range 43 East, more particularly described as follows: Beginning at a point in the West line of the Southeast 1/4 of the Southwest 1/4 of Section 33, said point being 30 feet Northerly, measured at right angles, from the South line of said Section 33; thence Northerly along the West line of said Southeast 1/4 of the Southwest 1/4 of Section 33, a distance of 634.72 feet to a point in the South line of land heretofore conveyed to Jack I. Weissman and Minnie Weissman, his wife; thence Easterly, parallel to the South line of said Section 33; and along the South line of said Weissman's land, 669.00 feet, more or less to a point in the centerline of U.S. Highway No. 1; thence Southwesterly along the centerline of said U.S. Highway No. 1, a distance of 658.65 feet, more or less, to a point in said line parallel to and 30 feet North of the South line of said Section 33; thence Westerly along said parallel line 516.4 feet, more or less, to the Point of Beginning; less and excepting from the above described property, property sold by James J. Reddy to Blondell Hospital House, Inc., described as follows: the North 58 feet of the South 664.74 feet of the Southeast 1/4 of the Southwest 1/4, lying West of U.S. Highway No. 1 in Section 33, Township 41 South, Range 43 East, being the North 58 feet of property purchased by James J. Reddy from Suburban Palm Beach, Inc. Said property located on the northwest corner of the intersection of Juno Road and U.S. Highway No. 1, was approved as advertised subject to the following conditions:

1. Developer shall construct on U.S. Highway #1:
 - a. Right turn lanes, north approach, at each of the project's entrances,
 - b. Right turn lane, north approach, at Juno Road.
2. Developer shall reconstruct left turn lane, north approach, Juno Road intersection as directed by County Engineer.
3. Developer shall construct a nonmountable curbed median on U.S. #1 in front of project to eliminate left turns from south approach where no median openings exist.
4. This project shall be limited to two (2) curb cuts on U.S. Highway #1.
5. Developer shall contribute Fifteen Thousand Nine Hundred Dollars (\$15,900.00) toward the cost of meeting this project's direct and identifiable traffic impact, to be paid at the time of issuance of building permits, which may be apportioned in any manner acceptable to the County Engineer. However, if an Ordinance dealing with this subject matter is adopted, this condition will be superseded by that Ordinance; except that, regardless of the form or status of any Ordinance, this development shall be required to provide as a minimum the above Fifteen Thousand Nine Hundred Dollars (\$15,900.00) towards alleviating some of its traffic impacts.

Commissioner Bailey, moved for approval of the petition.

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

Peggy Evatt, Chairman	-	yes
Bill Bailey, Vice Chairman	-	Yes
Frank Foster	-	ies
Norman Gregory	-	Yes
Dennis Koehler	-	yes

The foregoing resolution was declared duly passed and adopted this 23d day of January, 1979, confirming action of 28 December 1978.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN R. DIINKLE Clerk

By: *Richard Van Otter*
 Deputy Clerk

APPROVE AS TO FORM
 AND LEGAL SUFFICIENCY

 County Attorney

