

RESOLUTION APPROVING ZONING PETITION 79-119(A), Special Exception

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. 79-119(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 29th September 1983; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various county review agencies and the recommendations of the Planning Commission; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The proposed modifications are consistent with the requirements of the Comprehensive Plan and Zoning Code.
2. The proposed modifications will result in a decrease in potential traffic impacts from this site and will improve its appearance over the originally approved design.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 29th day September 1983, that Petition No. 79-119(A) the petition of ARVIDA CORPORATION By Peter J. Schmier, Regent, for a SPECIAL EXCEPTION TO ALLOW THE MODIFICATION AND EXPANSION OF A PREVIOUSLY APPROVED SITE PLAN FOR A PLANNED COMMERCIAL DEVELOPMENT APPROVED UNDER ZONING PETITION NO. 79-119 ON MAY 24, 1979 on all of Arvida Turnpike Plaza in Section 16, Township 47 South, Range 42 East a5 recorded in Plat Book 40, Page 148. Said property located on the northeast corner of the intersection of Boca Raton Road West (S. R.808) and Florida's Turnpike in an CG-General Commercial District was approved as advertised subject to the following conditions:

1. This development shall retain onsite 85% of the storm water runoff generated by a three (3) year storm Per requirements of the Permit Section, Land Development Division.
2. The developer shall align the project's east entrance with the entrance to the development approved as petition No. 80-161.
3. The developer shall construct at the project's east entrance and Glades Road, concurrent with a paving and drainage permit, issued from the office of the County Engineer :
  - a) Left turn lane, west approach.
  - b) Right turn lane, east approach.
4. The developer shall construct at the project's west entrance and Glades Road concurrent with a paving and drainage permit issued from the office of the County Engineer,
  - a) Right turn lane, east approach.
5. The developer shall install signalization when warranted, as determined by the County Engineer, at the intersection of Glades Road and the project's east entrance.
6. The developer shall contribute Sixteen Thousand Eight Hundred and Seventy-Five Dollars (\$16,875.00) toward the cost of meeting this project's direct and identifiable impact. The impact fees are to be used toward the Road construction program located within the project area and shall be in the form of a clean irrevocable Letter of Credit to Palm Beach County within ninety (90) days of Special Exception approval. Palm Beach County may then call upon this Letter of Credit within six (6) months of Special Exception approval.
7. The developer shall take reasonable precautions during the development of this property to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties.
8. The developer shall take necessary measures during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters.
9. A six-foot high wall (measured from parking lot grade) shall be installed between the parking lot and the Boca West Golf Course.
10. The developer shall preserve the existing Cypress head.

Commissioner Wilken , 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:

Peggy E. Evatt, Chairman	-- AYE
Ken Spillias, Vice Chairman	-- AYE
Dennis P. Koehler, Member	-- AYE
Dorothy Wilken, Member	-- AYE
Bill Bailey, Member	-- ABSENT

The foregoing resolution was declared duly passed and

adopted this 10th day of Jan. , 1984 , confirming action of  
29th September 1963 .

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Carlene Harris*  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

*John Gallett*  
County Attorney