

RESOLUTION NO. R-84-765

RESOLUTION APPROVING **ZONING PETITION** 74-104(B), **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- 482.5 of the **Palm Beach County Zoning Code Ordinance No. 73-2** have been **satisfied**; and

WHEREAS, **Petition No. 74-104 (B)** was presented to the Board of County Commissioners of Palm Beach County **at its public hearing** conducted on **26th January 1984**; 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 **Special** Exception **is consistent with the requirements** of the Comprehensive Plan and **constitutes no significant** change to the **original** development order.
2. The proposed **use** would not have an adverse **impact** upon adjoining properties or thoroughfares.
3. Variance relief from the north **set back requirements** must be **obtained** prior to site plan **certification** in order to **permit the proposed development**.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, **assembled in regular session this 26th** day **January 1984, that** **Petition** No. 74-104(B) the petition of ARVIDA CORPORATION By Lee Star-key, Agent, for a SPECIAL EXCEPTION TO AMEND THE **SITE PLRN** FOR TOWN SQUARE PARCEL OF VIA VERDE PLANNED UNIT DEVELOPMENT PREVIOUSLY APPROVED UNDER **ZONING PETITION NO. 74-104(A) TO INCLUDE FIN AUTOMOBILE CRR WASH FACILITY** on

Tract 24 of **Via Verde, Planned Unit**, a parcel of **land lying** in Section 23, **Township** 47 South, Range 42 East, being more particularly **described**

as follows:

Commencing at the Northwest corner of **said Section 23**; thence South 00 degrees $28'57''$ East along the West line of said Section 23, a **distance of 1485.54** feet to a point on the centerline of St. Andrews Boulevard, as recorded in Plat Book 35, Page 5 190, 191 and 192, **said point also being on the South line of Lake Worth Drainage District Canal L-46 Agreement**, as recorded in Official Record Book 2184, page 573; thence North 83 degrees $15'10''$ East, along said South line, a **distance of 68.88** feet to a point on the East right-of-way of **said St. Andrews Boulevard** and the **Point of Beginning of this description**; thence continuing North 83 degrees $15'10''$ East along **said South line of the Lake Worth Drainage District Canal L-46 Agreement**, a distance of 275.00 feet to a **point** on the centerline of the **Lake Worth Drainage District Canal L-47 Easement**, as recorded in **Official Record Book 3301**, Page 485; **thence** South 0 degrees $44'50''$ East along **said centerline**, a **distance of 121.31** feet to the point of curvature of a curve concave to **the left, having** a radius of 603.04 feet; thence along the arc of said **curve**, an arc distance of **484.16** feet to **the point of tangency**; thence South 33 degrees $88'50''$ East; a **distance of 222.89** feet to a point on the arc of circular curve to the right, whose radius bears South 13 degrees $16'15''$ East from the last described point, **said point being on the North right-of-way line of Verde Trail South**, as recorded in **Plat Book 30**, Page 138, the last three described courses being coincident **with** the centerline of said **Lake Worth Drainage District Canal L-47 Easement**; thence **Westerly along** the arc of **said curve, having** a radius of 785.13 feet, an arc distance of 14.93 feet to the point of tangency; thence South 75 degrees $38'22''$ west, continuing along **said North right-of-way line of Verde Trail South**, a **distance of 464.18** feet; thence North 58 degrees $34'54''$ West, a **distance of 35.83** feet to a **point on a circular curve to the right, whose radius point bears North 77 degrees 11'51'' East** from the last described point, **said point being on the East right-of-way of said St. Andrews Boulevard**; thence Northerly **along** the arc of **said curve, having** a radius of 2231.83 feet, an **arc distance of 479.90** feet to the point of tangency on the **East right-of-way said St. Andrews Boulevard**; thence North 00 degrees $28'57''$ West, along **said right-of-way**, a **distance of 287.68** feet to the **Point of Beginning of this description**. **Said property located on the**

northeast corner of the intersection of St. Andrews Boulevard and Verde Trail South in an RS-Residential Single Family District was approved subject to the following conditions:

1. All conditions of approval for Petition 74-184 (A)
2. Prior to site plan certification, the proposed plan shall be amended to conform to all property development regulations, or variance relief must be obtained to permit the reduced north setback.
3. The underground fuel storage tanks shall be installed to provide maximum protection against leakage or spillage due to corrosion, breakage, structural failure or other means. Acceptable designs for tank construction include cathodically protected steel, glass fiber reinforced plastic, steel clad with glass reinforced plastic, double walled steel, or plastic or other equivalent design. The design and installation plans for these tanks shall be submitted to the Health Department prior to the issuance of building permits.

Commissioner Koehler, moved for approval of the petition.

The motion was seconded by Commissioner Bailey.

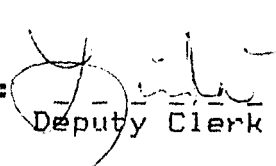
and upon being put to a vote, the vote was as follows:

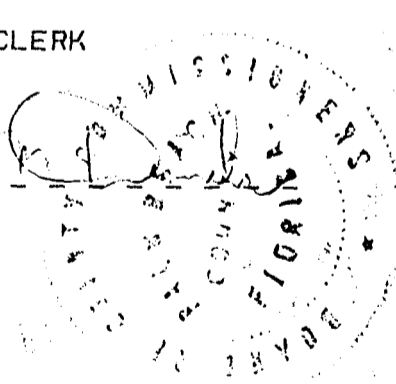
Ken Spillias, Chairman	--	Absent
Dorothy H. Wilken, Vice Chairman	--	AYE
Peggy B. Evatt	--	Absent
Dennis P. Koehler	I--	AYE
Bill Bailey	--	AYE

The foregoing resolution was declared duly passed and adopted this 12th day of June, 1984, confirming action of 26th January 1384.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:  Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney