

JOHN B. DUNKLE, CLERK

R-87-1200

Board of County Commissioners  
Palm Beach County, Florida

301 NORTH OLIVE • P. O. BOX 4036 • WEST PALM BEACH, FL 33402 • (305) 837-2959

MEMORANDUM

TO : SUSAN HAGERTY,  
ADMINISTRATIVE SECRETARY

FROM : LISA E. DORSEY, *LED*  
DEPUTY CLERK PALM BEACH COUNTY COMMISSION

DATE : AUGUST 27, 1987

RE : ZONING PETITIONS OF JUNE 25 & 26, 1987

Zoning Petitions numbered 76-18(E); 84-112(B); 87-61; 87-59; 87-19; 79-110(A); 79-244(A); 80-211(A); 84-198(A); 85-165(A); 86-81(A); 86-81(A); 87-62; 87-66; 75-68(C); and 77-13(E) were approved as Resolutions in the August 11, 1987 Board of County Commissioners Meeting.

When affixing the Resolution numbers to the Petitions, a few numbers were incorrectly printed. The corrections are as follows:

- |  |  |
|--|--|
| R-87-1199 should be R-87-1200<br>(Pet. # <del>76-18(E)</del> ) | R-87-1207 should be R-87-1206<br>(Pet. # 84-198(A))            |
| R-87-1200 should be R-87-1205<br>(Pet. # 84-112(B))            | R-87-1208 should be R-87-1207<br>(Pet. # 85-165(A))            |
| R-87-1201 should be R-87-1212<br>(Pet. # 87-61)                | R-87-1209 should be R-87-1208<br>(Pet. # 86-81(A))             |
| R-87-1202 should be R-87-1211<br>(Pet. # 87-59)                | R-87-1210 should be R-87-1209<br>(Pet. # <del>86-81(A)</del> ) |
| R-87-1203 should be R-87-1210<br>(Pet. # <del>87-19</del> )    | R-87-1211 should be R-87-1213<br>(Pet. # 87-62)                |
| R-87-1204 should be R-87-1202<br>(Pet. # 79-110(A))            | R-87-1212 should be R-87-1214<br>(Pet. # 87-66)                |
| R-87-1205 should be R-87-1203<br>(Pet. # 79-244(A))            | R-87-1213 should be R-87-1199<br>(Pet. # 75-68(C))             |
| R-87-1206 should be R-87-1204<br>(Pet. # 80-211(A))            | R-87-1214 should be R-87-1201<br>(Pet. # 77-13(E))             |

Please compare resolution and petition numbers as I have done above. The petition numbers are printed directly below the resolution number in which they are recorded under in the Official Record Book for the County. Enclosed are corrected copies of the resolutions. Please discard the incorrect ones that were originally sent to you.

The Minutes Department hope that this error did not cause too much of an inconvenience for your department or clients.

If you have any questions in reference to this, contact me at 820-2955.

Thank you.

COUNTY AUDITOR

CUSTODIAN OF COUNTY FUNDS

RESOLUTION NO. R- 87-1200

RESOLUTION APPROVING ZONING PETITION 76-18(E): Special Exception with a concurrent Modification of Commission Requirements

WHEREFIS, 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

WHEREFIS, 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. 76-18(E) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning authority, at its public hearing conducted on June 25, 1987; and

WHEREFIS, 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

WHEREFIS, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner; and

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

- 1. With required site plan modifications, this proposal will be consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that Petition No. 76-18(E) the petition of ATLANTIS PLAZA II, by F. Martin Perry, attorney, for a SPECIAL EXCEPTION TO REVISION THE SITE PLAN FOR A PLANNED COMMERCIAL DEVELOPMENT INCLUDING A LARGE SCALE COMMUNITY SHOPPING CENTER IN EXCESS OF 50,000 SQUARE FEET OF TOTAL FLOOR AREA

INCLUDING A FINANCIAL INSTITUTION WITH FIVE (5) DRIVE-UP TELLER UNITS, A DRY CLERNING FIND LFIUNDRY PLFINT FIND RECREATION FACILITIES, AMUSEMENTS FIND RTTRRCTIONS AND EXHIBITS PREVIOUSLY RPPROVED UNDER ZONING PETITION NO'S. 76-18, 76-18(A), FIND 76-18(B) TO (1) INCLUDE A CAR WFISH, RND (2) AN AUTO SERVICE STATION (OIL CHANGE FACILITY), WITH A CONCURRENT MODIFICRTION OF COMMISSION REQUIREMENTS TO, AMEND CONDITION NO. 10 OF ZONING PETITION NO. 76-18 (A), RPPROVED OCTOBER 30, 1986 (R-86-93, ADOPTED FEBRURRY 11, 1986) WHICH STATES:

"10. The property owner shall convey for the ultimate right-of-way of Lantana Road and Congress Rvenue 60 feet from centerline, prior to December 1, 1985; conveyance must be accepted by Palm Beach County prior to issuance of first Building Permit."

REQUEST: CONDITION NO. 10 BE AMENDED TO STRTE:

"10. The property owner shall convey for the ultimate right-of-way of Congress Rvenue 60 feet from centerline, prior to December 1, 1985; conveyance must be accepted by Palm Beach County prior to issuance of first Building Permit."

The property is located in the Northeast 1/4 of Section 6, Township 45 South, Range 43 East, lying Northeasterly of the Easterly right-of-way of Congress Rvenue as recorded in road book 2, page 135 being more particularly described as follows: Commence at the Northeast corner of said Section 6, Thence South 00 degrees 16' 35" East, a distance of 297.00 feet to a line parallel to and 297.00 feet South of, as measured at right angles to the North line of said Section 6, thence South 89 degrees 33' 57" West along said parallel line, a distance of 33.00 feet to a line parallel to and 33.00 feet West of, as measured at right angles to the East line of said Section 6, said point also being the point of beginning, thence South 00 degrees 16' 35" East along said parallel line, a distance of 826.59 feet to a line parallel to and 1123.59 feet South of, as measured at right angles to the North line of said Section 6, thence South 89 degrees 33' 57" West along said parallel line, a distance of 603.00 feet to a line parallel to and 636.00 feet West of, as measured at right angles to the East line of said

Section 6, thence South 00 degrees 16' 35" East along said parallel line, a distance of 268.04 feet to the said Easterly Right-of-Way line of Congress Avenue, thence North 47 degrees 44' 45" West along said Easterly Right-of-way of Congress Avenue, a distance of 132.03 feet to the point of curvature of a circular curve concave to the Northeast, having a radius of 1860.08 feet and a central angle of 26 degrees 33' 37", thence Northwesterly along the arc of said curve and said Easterly Right-of-way of Congress Rvenue, a distance of 862.27 feet, to a point of intersection with a line parallel to and 560.00 feet South of, as measured at right angles to the North line of said section 6, thence North 89 degrees 33' 57" East along said parallel line, a distance of 762.31 feet to a line parallel to and 488.04 feet West of, as measured at right angles to the East line of said Section 6, thence North 00 degrees 96' 35" West along said parallel line, a distance of 263.00 feet to said parallel line being 297.00 feet South of, as measured at right angles to the North line of said Section 6, thence North 89 degrees 33' 57" East along said parallel line, a distance of 455.04 feet to said point of beginning. The property is located on the east side of Congress Rvenue (SR 807) approximately .1 mile south of Lantana Road (SR 812) in a CG-General Commercial Zoning District and was approved as advertised subject to the following conditions:

1. The developer shall comply with all previous conditions of approval unless modified herein.
2. Prior to site plan certification, the site plan shall be amended to indicate the following:
  - a. Labelling of the car wash (and accessory uses), oil change, and other outbuildings within this Planned Commercial Development.
  - b. Elimination of the three (3) southernmost detailing spaces adjacent to the stacking lanes for the car wash.
  - c. Required handicap parking, on the plan and in the data tabular.
  - d. Tabular data for the car wash facility.
  - e. The location of the menu board for the drive through restaurant.
  - f. Required backup distance and isle circulation for the parking stalls.
  - g. Delineate the number of car wash and oil change bays.

3. Condition No. 10 of Zoning Petition No. 76-18(A), which presently states:

"10. The property owner shall convey for the ultimate right-of-way of Lantana Road and Congress Rvenue 60 feet from centerline, prior to December 1, 1985; conveyance must be accepted by Palm Beach County prior to issuance of first Building Permit."

is hereby modified to read:

"10. The property owner shall convey for the ultimate right-of-way of Congress Rvenue, sixty (60) feet from centerline within ninety (90) days of the approval of the resolution approving this project or prior to site plan certification whichever shall first occur."

4. Generation and disposal of hazardous effluents into sanitary sewerage system shall be prohibited unless adequate pretreatment facilities approved by the Florida Department of Environmental Regulation (FDER) and Rgency responsible for sewage works, are constructed and used by project tenants or owners generating such effluents.
5. Since sewer service is available at the site, no septic tank shall be installed on the site.
6. Because public water service is available at the site, no well shall be installed to provide potable water on site.

Commissioner Adams, moved for approval of the petition.

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

Carol A. Roberts	--	Rye
Kenneth M. Adams	--	Aye
Karen T. Marcus	--	Aye
Carol J. Elmquist	--	Rye
Dorothy Wilken	--	Rye

The foregoing resolution was declared duly passed and adopted this 11th day of August, 1987 confirming action of June 25, 1987.

PRLM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Jana E. Dorsey  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

[Signature]  
County Attorney