

RESOLUTION NO. R-88-1209

RESOLUTION APPROVING ZONING PETITION NO. 76-171(B)  
SPECIAL EXCEPTION PETITION OF WILLIAM J. CROCKER

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. 76-171(B) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on July 24, 1987; 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, 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. This proposal is 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. 76-171(B), the petition of WILLIAM J. CROCKER, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A PLANNED OFFICE BUSINESS PARK, INCLUDING A FUNERAL HOME AND CREMATORY PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 76-171(A) ON JUNE 28, 1984 TO ABANDON THE FUNERAL HOME AND CREMATORY AND TO INCLUDE A RESTAURANT AND LOUNGE AND A FINANCIAL INSTITUTION WITH THREE (3) DRIVE-UP TELLER WINDOWS on a parcel of land lying on Tracts 1 and 2, Replat of Parcel B "Arvida Business Plaza", as recorded in Plat Book 36, Page 81, Together with a portion of Section 23, Township 47 South, Range 42 East, being more particularly described as follows: Beginning at the Northwest corner of said Tract 1, Replat of Parcel B "Arvida Business Plaza": thence North 89 degrees 30' 16" East, along the North line of Tracts 1, 2 and 3

of said Replat of Parcel B "Arvida Business Plaza", a distance of 1123.50 feet to a point on the arc of a circular curve to the left, whose radius bears North 65 degrees 10' 46" West from the last described point; thence Easterly and Northerly, along the arc of said curve, having a radius of 320.85 feet, an arc distance of 63.80 feet; thence South 89 degrees 30' 16" West, along a line parallel with, and 75.00 feet South of, as measured at Right angles to, the North line of said Section 23, said line also being parallel with, and 60.00 feet North of, as measured at right angles to, the North line of said Tracts 1, 2 and 3, a distance of 1144.79 feet; thence South 00 degrees 23' 59" East, a distance of 60.00 feet to the Point of Beginning, located on the east side of Butts Road (SR 808), approximately .1 mile north of Military Trail Extension (SR 809), in a CS-Specialized Commercial Zoning District, was approved as advertised, subject to the following conditions:

1. The developer shall comply with all previous conditions of approval unless expressly modified herein.
2. The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this proposed restaurant is \$4,795.00 (179 trips X \$26.79 per trip).
3. Based on the Traffic Performance Standards (Category "B"), the developer shall contribute an additional \$1,199.00 toward Palm Beach County's existing Roadway Improvement Program. These total funds of \$5,994.00 are to be paid prior to the issuance of the first building permit, or prior to October 1, 1987, whichever shall first occur.
4. Condition No. 1 of Zoning Petition No. 76-171(A) (Resolution No. R-84-1284) which states:
  - "1. Prior to certification of the Master Site Plan by the Site Plan Review Committee:
    - a. The master plan shall be amended to reflect the 10 foot safe corner provisions of Ordinance 73-1 (Landscape Code).
    - b. The Petitioner shall seek variance relief from the Board of Adjustment on side corner setbacks or file for abandonment of the internal (20) access easement."

is hereby deleted.

5. Use of the restaurant and lounge shall be limited to a private club with access limited to members and guests only.
6. No off-site or off premise type signs shall be established on the site.
7. There shall be no financial institutions permitted on site.


Commissioner Wilken, 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	--	Aye
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Aye
Kenneth M. Adams	--	Aye

The foregoing resolution was declared duly passed and adopted this 9th day of August, 1988 confirming action of July 24, 1987.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY:

  
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

  
DEPUTY CLERK

