

RESOLUTION NO. R-89-1148

RESOLUTION APPROVING ZONING PETITION NO. 76-171(C)
MODIFICATION OF COMMISSION REQUIREMENTS
PETITION OF CROCKER AND COMPANY

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(C) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on December 29, 1988; 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 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(C), the petition of CROCKER AND COMPANY, by Robert E. Basehart, Agent, for a MODIFICATION OF COMMISSION REQUIREMENTS on a parcel of land lying on Tracts 1 and 2, REPLAT OF PARCEL B "ARVIDA BUSINESS PLAZA", according to the plat thereof, 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, being located on the northwest corner of the intersection of Commercial Trail and Towncenter Road, 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. Prior to certification, the site plan shall be amended to indicate the following:
 - a. Revised interior landscape tabular data.
3. The financial institution shall be limited to three (3) drive in teller stations.
4. A restaurant or lounge shall not be permitted on site.
5. Condition No. 7 of Zoning Petition No. 76-171(B), Resolution No. R-88-1209, which presently states:

"There shall be no financial institutions permitted on site."

is hereby deleted.
6. Condition No. 5 of Zoning Petition No. 76-171(B), Resolution No. R-88-1209, which presently states:

"5. Use of the restaurant and lounge shall be limited to a private club with access limited to members and guests only."

is hereby deleted.
7. Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site.
- a. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water.
9. An affidavit for notification of Wellfield Protection Ordinance restrictions shall be executed prior to approval. An analysis of development plans shall also be conducted by the petitioner indicating:
 - a. Locations and types of business proposed;
 - b. Wellfield zones; and
 - c. Measures to be utilized to comply with Wellfield Protection Ordinances.

10. The petitioner 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.
11. Failure to comply with any conditions of approval may result in the denial or revocation of a building permit; the issuance of a stop work order; the denial of a Certificate of Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer-owner, commercial-owner, lessee, or user of the subject property. Appeals from such action may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Palm Beach County Zoning Code.

Commissioner Roberts moved for approval of the petition. The motion was seconded by Commissioner Howard and, upon being put to a vote, the vote was as follows:


Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Absent
Carol Roberts	--	Aye
Ron Howard	--	Aye
Carole Phillips	--	Aye

The foregoing resolution was declared duly passed and adopted this 13th day of June, 1989 confirming action of December 29, 1988.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK

