

RESOLUTION NO. R-90- 1429

RESOLUTION APPROVING ZONING PETITION NO. 78-287(F)  
MODIFICATION OF COMMISSION REQUIREMENTS  
PETITION OF COREPOINT CORPORATION  
BY GEORGE DE GUARDIOLA, AGENT

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 have been satisfied; and

WHEREAS, Petition No. 78-287(F) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on April 30, 1990; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, 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, sitting as the Zoning Authority, made the following findings of fact:

1. This proposal is consistent with the requirements of the Comprehensive and local land development regulations.

WHEREAS, 402.5 of the Zoning Code requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that Petition No. 78-287(F), the petition of COREPOINT CORPORATION, BY GEORGE DE GUARDIOLA, AGENT, for a MODIFICATION OF COMMISSION REQUIREMENTS on a parcel of land lying in Section 31, Township 43 South, Range 41 East, lying South of the West Palm Beach Canal, less that part of said Section 31; Beginning at the Southeast corner of said Section 31; Thence North 00 degrees 19'52 East along the East line of said Section 31 (for convenience all bearings shown hereon are based on an assumed meridian) to the waters edge of the West Palm Beach Canal; Thence Westerly along the waters edge of the West Palm Beach Canal to the Northerly extension of the West line of Section 5, Township 44 South, Range 41 East; Thence South 00 degrees 51'45" West along the said Northerly extension

to the Northwest corner of said Section 5 and a point on the South line of Section 31; Thence South 89 degrees 59'10" East along the South line of Section 31, a distance of 310.66 feet to the Southeast corner of said Section 31 and the Point of Beginning. Together with all of fractional Sections 6, 7, and 18, all in Township 44 South Range 41 East and being located on the south side of State Road 80, approximately 1.5 mile west of Big Blue Trace; bound on the east by the C-2 A.I.D. Canal R/W, and on the west by the C-1 A.I.D. Canal R/W, and on the west by the C-1 A.I.D. Canal R/W in a RE-Residential Estate Zoning District, was approved on April 30, 1990 as advertised, subject to the following conditions:

1. The developer shall comply with all previous conditions of approval unless expressly modified herein.
2. Condition No. 10 A(1) of Zoning Resolution R-89-2172 presently reads:

"10. The conditions listed below are deemed related to the commercial property located at S.R. 80 and the new collector road.

A. Developer shall construct a collector road on the above right-of-way from Aero Club Drive to Southern Boulevard prior to this issuance of a building permit within the commercial portion of the project, and in no event later than three years after this project's approval. Plans shall be completed within one year of this project's approval. All construction shall be in accordance with the requirements of the County Engineer (Thoroughfare Plan Typical Section) and shall include, but not be limited to:

1. A five lane section from 200 feet south of the Florida Power and Light Co. easement to Southern Boulevard, including a new five lane bridge over the C-51 Canal."

Is hereby modified to read:

"The conditions listed below are deemed related to the commercial property located at State Road 80 and the new collector road.

A. Developer shall construct a collector road on the above right-of-way from Aero Club Drive to Southern Boulevard prior to the issuance of a building permit within the commercial portion of the project, and in no event later than three years after this project's approval. Plans shall be completed within one year of this project's approval. All construction shall be in accordance with the requirements of the County Engineer (Thoroughfare Plan Typical Section) and shall include, but not be limited to:

- 1) A four lane median divided section with raised non-mountable curb and gutter from 200 feet south of the

Florida Power and Light Company easement to Southern Boulevard, including a new five lane bridge over the C-51 Canal. Construction of Aero Club Drive shall be completed by January 1, 1993."

Commissioner Marcus moved for approval of the Resolution.

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

Carol J. Elmquist, Chair	--	AYE
Karen T. Marcus	--	AYE
Carol Roberts	--	AYE
Ron Howard	--	AYE
Carole Phillips	--	AYE

The Chair thereupon declared the resolution was duly passed and adopted this 28th day of August, 1990.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Richard Allen*  
COUNTY ATTORNEY

BY: *Vicki Benson*  
DEPUTY CLERK

