

RESOLUTION NO. R-90-1888

RESOLUTION APPROVING ZONING PETITION NO. 75-72(D)  
MODIFICATION OF COMMISSION REQUIREMENTS  
PETITION OF PALM BEACH SQUARE ASSOCIATES, LTD.  
BY RONALD K. KOLINS, 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. 75-72(D) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on June 28, 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. 75-72(D), the petition of PALM BEACH SQUARE ASSOCIATES, LTD., BY RONALD K. KOLINS, AGENT, for a MODIFICATION OF COMMISSION REQUIREMENTS on a parcel of land lying on the West 1/2 of the Northeast 1/4 of the Northwest 1/4 of Section 26, Township 43 South, Range 42 East, together with an easement for underground utilities, (set forth in), easement agreement, Record Book 5695, Page 1191, together with an easement for underground utilities set forth in Official Record Book 5695, Page 1195, Less and excepting: Parcel No. 108, commencing at the Northwest corner of said Section 26, run thence North 01 degrees 27'31" East, along the Westerly section line for Section 23, Township 43 South, Range 42 East, a distance of 21.00 feet to the baseline of survey for S.R. 704 (Okeechobee Blvd.); Thence South 88 degrees 40'34" East, along said baseline of survey, a distance of 1339.65 feet; Thence, South 01 degrees 19'26" West, a distance of 71.00 feet to the Southerly existing right-of-way line for S.R. 704 (Okeechotee Blvd.) and the POINT OF BEGINNING; Thence South 88 degrees 40'34" East, along the said South line, a distance of 55.00 feet; Thence South 46 degrees 22'52" West, a distance of

35.39 feet; Thence, North 88 degrees 40'34" West, a distance of 30.00 feet to a point on the West line of the Northeast 1/4 of the Northwest 1/4 of said Section 26; Thence North 01 degrees 27'08" East, along the just described line, a distance of 25.00 feet to the POINT OF BEGINNING and being located on the Southeast corner of the intersection of Okeechobee Boulevard and Citation Drive, bound on the south by Lake Worth Drainage District Lateral Canal Number 1, in a CG-General Commercial Zoning District, was approved on June 28, 1990 as advertised, subject to the following conditions:

1. The petitioner shall be subject to all previous conditions of approval, unless expressly modified herein.
2. Condition Numbers 20(a) and 20(b) of Resolution Number R-86-92 which authorized approval for Petition Number 75-72(A) state:

"a.) No more than 100,000 net leasable square feet of commercial building permits shall be issued until contracts have been let to construct Okeechobee Boulevard as a minimum six lane section from the entrance to the Florida Turnpike to Military Trail plus the appropriate paved tapers.

b.) No building permits shall be issued for the remaining 84,760 net leasable square feet of commercial space until contracts have been let to construct Okeechobee Boulevard as a minimum four lane section from the Florida Turnpike to Golden Lakes Boulevard plus the appropriate paved tapers."

Are hereby modified as follows:

"a.) Condition No. 20(a) of Zoning Petition No. 75-72(A), Resolution Number R-86-92, is hereby deleted.

b.) Condition No. 20(b) of Zoning Petition No. 75-72(A), Resolution Number R-86-92, is hereby deleted."

3. No certificate of occupancy shall be issued for Phase II of the project prior to July 1, 1991.

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	--	ABSENT

The Chair thereupon declared the resolution was duly passed and adopted this NOV 13 1990 day of November, 1990.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Pauline Altier*  
COUNTY ATTORNEY

BY: *Margaret R. Brown*  
DEPUTY CLERK

