

RESOLUTION NO. R-90-1894

RESOLUTION APPROVING ZONING PETITION NO. 81-152(B)  
SPECIAL EXCEPTION PETITION OF  
SUNSET CENTRES LIMITED PARTNERSHIP  
BY ROBERT E. BENTZ, 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. 81-152(B) 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 Plan 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. 81-152(B), the petition of SUNSET CENTRES LIMITED PARTNERSHIP, BY ROBERT E. BENTZ, AGENT, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A PLANNED COMMERCIAL DEVELOPMENT TO INCLUDE A PLACE OF WORSHIP on a parcel of land lying in Parcels 1 and 2 as shown on the Plat of Country Club Trail Commercial Plat Book 30, Page 171, less and excepting a certain parcel of land lying in the southwest 1/4 of Section 24, Township 45 South, Range 42 East, being a portion of the PLAT OF COUNTRY CLUB TRAIL COMMERCIAL, being more particularly described as follows: Commencing at the southwest corner of said Section 24, thence north 00 degrees 11'00" east (bearing mentioned here are in the meridian of said Plat of Country Club Trail Commercial and all other bearings mentioned herein are relative thereto) a distance of 959.21 feet to a point; thence south 89 degrees 49'00" east, a distance of 60.00 feet to a point on the east right-of-way of Military Trail, as laid out and now in use, also being the Point of Beginning; thence from said Point of Beginning, continue south 89 degrees 49'00" east a distance of 124.00 feet; thence south 00 degrees 11'00" west, a distance of 87.00 feet; thence south 89 degrees 49'00" east, a distance of 76.00 feet; thence south 00 degrees

11'00" west a distance of 200.00 feet; thence north 89 degrees 49'00" west: a distance of 200.00 feet to a point on the east right-of-way of Military Trail; thence north 00 degrees 11'00" east along said east right-of-way, a distance of 287.00 feet, more or less, to the Point of Beginning. Less and excepting: Commencing at the southwest corner of Section 24, Township 45 South, Range 42 East; thence North 00 degrees 11'00" east along the centerline of Military Trail and the west line of Section 24, a distance of 959.21 feet; thence south 89 degrees 49'00" east, a distance of 184.00 feet to the Point of Beginning, said Point of Beginning lying on the north line of Parcel C of the proposed plat of Boynton Trail Center; thence continuing south 89 degrees 49'00" east along said north line, a distance of 76.00 feet to the proposed northeast corner of said Parcel C; thence south 00 degrees 11'00" west, parallel with the west line of Section 24 and along the east line of said Parcel C, a distance of 87.00 feet; thence north 89 degrees 49'00" west parallel with the north line of said Parcel C, a distance of 76.00 feet; thence north 00 degrees 11'00" east parallel with the west line of Section 24 and with the east line of said Parcel C, a distance of 87.00 feet to the Point of Beginning. Said lands are now included within the plat of Boynton Trail Centre, as recorded in Plat Book 48, Page 191, and being located on the northeast corner of the intersection of Military Trail and Boynton Beach Boulevard, in the CG-General Commercial Zoning District, was approved on June 28, 1990, as advertised, subject to the following conditions:

STANDARD CONDITIONS:

1. The petitioner shall comply with all previous conditions of approval, unless expressly modified herein.
2. The site plan shall be amended to indicate compliance with all minimum property development regulations and land development requirements.
3. Development of the site is limited to the uses and site design shown on the site plan approved by the Board of County Commissioners unless the proposed use or design changes are permitted pursuant to Section 402.7(E)2(b) (Site Plan Review Committee Powers and Standards of Review).

HEALTH

4. Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site.
5. Waterservice is available to the property. Therefore, no well shall be permitted on the site to provide potable water.

RECYCLE SOLID WASTE

6. The property owner shall participate in a recycling program when available in the area. The program shall include paper, plastic, metal and glass products, as programs, are available.

COMPLIANCE

7. As provided in the Palm Beach County Zoning Code, Sections 400.2 and 402.6, failure to comply with any of these conditions of approval at any time may result in:

- a. 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; and/or
- b. The revocation of the Special Exception and any zoning which was approved concurrently with the Special Exception as well as any previously granted certifications of concurrency or exemptions therefrom; and/or
- c. A requirement of the development to conform with updated standards of development, applicable at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions.

Appeals of any departmental-administrative actions hereunder may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Palm Beach County Zoning Code. Appeals of any revocation of Special Exception, Rezoning, or other actions based on a Board of County Commission decision, shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit.

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 6th day of November, 1990.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

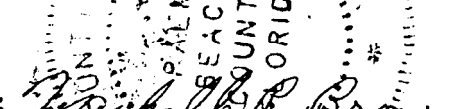
PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

  
COUNTY ATTORNEY

BY:

  
DEPUTY CLERK

