

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 1986-008C.9
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-90-839
WHICH APPROVED THE SPECIAL EXCEPTION OF
RADNOR/HIGIER PARTNERSHIP #3
PETITION NO. 86-8(C)

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, systematic monitoring and review of approved zoning actions help implement the goals and objectives of the Comprehensive Plan.

WHEREAS, the notice and hearing requirements as provided for in Section 5.8 of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, pursuant to Section 5.8, Status Report SR 1986-008C.9 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on July 25, 2002; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 1986-008C.9 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, Section 5.8 of the Palm Beach County Land Development Code authorizes the Board of County Commissioners to add or modify conditions of approval; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The special exception is not consistent with the Unified Land Development Code because it has not been reviewed for consistency with Section 6.6.E. "Architectural Guidelines" of the Unified Land Development Code.
2. With the new condition of approval requiring the project to be certified for compliance with Section 6.6.E. of the Palm Beach County Unified Land Development Code, the special exception will be consistent with the Unified Land Development Code.
3. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.

WHEREAS, Section 5.3 of the Palm Beach County Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that the recommendation of Status Report No. SR 1986-008C.9, to amend Conditions of Approval of Resolution No. R-90-839, the Special Exception of Radnor/Higier Partnership #3, Petition No. 86-8(C), which amended the site plan for an

existing Planned Commercial Development (PCD) to 1) increase the land area 2) permit an auto service station (tire center) 3) add a financial institution with five (5) drive up teller windows, on a parcel in Tract 39 of the Hiatus Township 44 ½ South, Range 42 East; Commencing at the 1/4 section corner in the South line of Section 34, Township 44 South, Range 42 East; Thence South 88 Degrees 32'23" East along the centerline of Lantana Road and South line of said Section 34, a distance of 1,349.87 feet; Thence South 29 Degrees 44'06" East, a distance of 46.76 feet to the POINT OF BEGINNING and intersection with the South right-of-way line of said Lantana Road, said South right-of-way lying 40.00 feet South of and parallel with said South line of said Section 34; Thence South 88 Degrees 32'23" East along said South right-of-way line, a distance of 285.00 feet to the Northwest corner of Strawberry Lakes Plat Two, Plat Book 60, Page 145; Thence South 28 Degrees 30'38" East along the Westerly limits of said Strawberry Lakes Plat Two, a distance of 913.33 feet to the intersection with the North right-of-way line of Lake Worth Drainage District Lateral Canal No. 16, said North right-of-way line lying 35.00 feet North of and parallel with the North line of Section 3, Township 45 South, Range 42 East; Thence South 89 Degrees 11'43" West along said North right-of-way line, a distance of 1,555.61 feet; Thence North 28 Degrees 30'38" West, a distance of 14.22 feet to the non-radial intersection with a curve concave to the Southwest with a radius of 1,697.02 feet and a tangent bearing of South 16 Degrees 02'46" East at said intersection; Thence Northerly and Westerly along the arc of said curve and Easterly right-of-way of Jog Road, through a central angle of 12 Degrees 27'53", a distance of 369.19 feet to the point of tangency; Thence North 28 Degrees 30'38" West along said Easterly right-of-way, a distance of 227.50 feet to the point of curvature of a curve concave to the Northeast with a radius of 1,577.02 feet; Thence Northerly along the arc of said curve and Easterly right-of-way of Jog Road, through a central angle of 10 Degrees 21'47", a distance of 285.23 feet; Thence North 36 Degrees 39'26" East, a distance of 40.87 feet to the South right-of-way line of Lantana Road; Thence South 88 Degrees 32'23" East along said South right-of-way line, a distance of 1,186.57 feet; Thence North 29 Degrees 44'06" West, a distance of 16.37 feet to the POINT OF BEGINNING; Bearings shown hereon are referenced to an assumed bearing of South 88 Degrees 32'23" East along the South line of said Section 34, being located on the southeast corner of Lantana Road and Jog Road, in the CG-General Commercial Zoning District, is approved, subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)
2. Prior to the issuance of a building permit, the property owner shall submit an application to the Development Review Committee for review and certification that the project is in compliance with

Section 6.6.E. of the Palm Beach County Unified Land Development Code, "Architectural Guidelines." (BLDG PERMIT: MONITORING - Zoning)

Commissioner McCarty moved for approval of the Resolution.

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

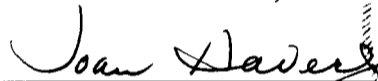
WARREN H. NEWELL, CHAIRMAN	—	Aye
CAROL A. ROBERTS, VICE CHAIR	—	Absent
BURT AARONSON	—	Aye
ADDIE L. GREENE	—	Aye
KAREN T. MARCUS	—	Aye
TONY MASILOTTI	—	Absent
MARY MCCARTY	—	Aye

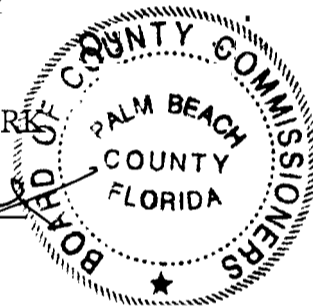
The Chair thereupon declared the resolution was duly passed and adopted this 25 day of July, 2002.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: 
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK
BY: 
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 21 day of August, 2002.