

RESOLUTION R-2003-0329

RESOLUTION CORRECTING RESOLUTION R-2002-1957
RESOLUTION APPROVING ZONING PETITION OF
AN-SCA OFFICE BUILDING LTD
PETITION DOA1997-071A
(HAGEN & BOYNTON OFFICE)

WHEREAS, AN-SCA Office Building Ltd, petitioned the Palm Beach County Board of County Commissioners on October 24, 2002 for a Development Order Amendment to reconfigure site plan; and

WHEREAS, Resolution R-2002-1957, adopted on October 24, 2002 confirming the action of the Board of County Commissioners inadvertently contained an error in Engineering Condition E.2 of Exhibit C; and

WHEREAS, Engineering Condition E.2 of Exhibit C of Resolution R-2002-1957 should have read as follows:

2. Condition E.2.a of Resolution R-98-0125, Petition PDD97-71 which currently states:

LANDSCAPE WITHIN MEDIAN OF STATE ROADS

- a. Prior to issuance of a building permit, the property owner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to landscape the adjacent median of Boynton Beach Boulevard road right-of-way. This permit, to be completed by the property owner, shall name Palm Beach County as the applicant. As part of this permit process, the property owner shall enter into a Right of Way, Landscape Maintenance, Removal, and Indemnification Agreement. When landscaping is permitted by the Florida Department of Transportation, landscaping shall, at a minimum, consist of the "Low Cost Planting Concept" outlined in the Palm Beach County Engineering and Public Works Department March 1994 Streetscape Standards. The property owner shall also be responsible to supplement any existing landscape material previously planted in this median and all new landscape material shall be consistent with the landscaping theme adopted for this roadway. All landscape material, installation, and maintenance requirements shall be subject to the standards set forth by the Streetscape Standards. If all xeriscape material is utilized, the watering of the plant material during the initial heal-in period shall be the responsibility of the property owner. Alternative species other than those listed in the County standards may be allowed subject to approval by the County Engineer. (BLDG PERMIT: MONITORING - Eng)

~~Is here by amended to read:~~

~~Prior to DRC approval of the final Development Plan the property owner shall obtain approval from the Florida Department of Transportation for the Geometries of the required right turn lane on Boynton Beach Boulevard into the site.~~

~~Should the projects entrance onto Boynton Beach Boulevard be required to be relocated to meet DOT approval, the Preliminary Development Plan shall be amended accordingly.
(DRC APPROVAL-ENGINEERING)~~

- b. All required median landscaping, including an irrigation system if required, shall be installed at the property owners expense. All existing landscape material shall also be the perpetual maintenance obligation of the petitioner and its successors, heirs or assignees or duly established Property Owner's Association and/or Homeowners's Association. Perpetual maintenance includes, but is not limited to, pruning, fertilizing, irrigation, and alternate watering of Xeriscape material during periods of drought in order to maintain healthy plant material. All landscape material shall be installed prior to the issuance of a certificate of occupancy. (PLAT FINAL: ENG) (Previous Condition E.2.b of Resolution R-98-0125, Petition PDD97-71)
- c. Declaration of Covenants and Restriction Documents shall be established or amended as required and shall be approved and recorded prior to the issuance of a building permit. (BLDG PERMIT: MONITORING - Eng) (Previous Condition E.2.c of Resolution R-98-0125, Petition PDD97-71)

Is here by amended to read:

2. LANDSCAPE WITHIN MEDIAN OF BOYNTON BEACH BOULEVARD

Prior to the issuance of a Building Permit, the petitioner shall make a contribution in the amount of \$23,892 to the Land Development Division. These monies are to be used toward the Median Beautification Project of Boynton Beach Boulevard between Hagen Ranch Road and the entrance to Indian Hills PUD. If an agreement has not been accomplished for this Median Beautification Project for Boynton Beach Boulevard prior to November 1, 2003, Palm Beach County may use these funds towards the Otis program within the project area.

- 3. Prior to DRC approval of the final Development Plan the property owner shall obtain approval from the Florida Department of Transportation for the Geometrics of the required right turn lane on Boynton Beach Boulevard into the site.

Should the projects entrance onto Boynton Beach Boulevard be required to be relocated to meet DOT approval, the Preliminary Development Plan shall be amended accordingly. (DRC APPROVAL-ENGINEERING)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

- 1. The foregoing recitals are hereby affirmed and ratified.
- 2. Engineering Condition E.2 of Exhibit C of Resolution R-2002-1957 is hereby corrected.

Commissioner Aaronson moved for the approval of the Resolution.

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

Karen T. Marcus, Chair	-	Aye
Tony Masilotti, Vice Chairman	-	Absent
Jeff Koons	-	Absent
Warren H. Newell	-	Aye
Mary McCarty	-	Aye
Burt Aaronson	-	Aye
Addie L. Greene	-	Absent

The Chair thereupon declared the resolution was duly passed and adopted on February 27, 2003.

Filed with the Clerk of the Board of County Commissioners on 31 day of March, 2003.

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

