

RESOLUTION NO. R-94-946

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. CR **90-3A/A5**
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-91-1472
WHICH APPROVED THE SPECIAL EXCEPTION OF
LACECO, INC. AND W.G. LASSITER, JR. TRUSTEE
PETITION NO. 90-3(A)

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 CR **90-3A/A5** was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on July **28**, 1994; and

WHEREAS, the Board of County Commissioners has reviewed Status Report CR **90-3A/A5** 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. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations; and
2. The conditions listed below require this petition to develop more in conformity with current standards of development.

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. CR **90-3A/A5**, to amend Conditions of Approval of Resolution No. R-91-1472, the Special Exception of LACECO, Inc. and W.G. Lassiter, Jr. Trustee, Petition No. 90-3(A), confirmed by the adoption of Resolution R-91-1472, which granted a Special Exception for a Planned General Commercial Development (PGCD) on a parcel of land lying west of High Ridge Road and south of Lantana Road (S.R. 812) in Tracts 37 and **38** of the hiatus between Township **44** South, Range **43** East; and in Government Lot No. **4**, Section 4, Township 45 South, Range **43** East, and being more particularly described as follows: From the Southeast corner of Section 32, Township 44 South, Range 43 East,

go in a Westerly direction along the South line of said Section 32 (said south line being also the centerline of S.R. 812) a distance of 40.0 feet to a point; thence turn an angle of 90°00'00" from West to South and go in a Southerly direction a distance of 40.00 feet to the POINT OF BEGINNING, said POINT OF BEGINNING being the intersection of the South right-of-way line of S.R. 812 and the West right-of-way line of High Ridge Road; thence go in a Westerly direction along the South right-of-way line of S.R. 812 a distance of 117.60 feet to a point; thence turn an angle of 91°50'07" from East to South and go in a Southerly direction a distance of 47.48 feet to a point, said point being the Northwest corner of Section 4, Township 45 South, Range 43 East; thence continue along the same line, said line being the West line of Section 4, a distance of 500.83 feet to a point, said point being on the South line of the North 500 feet to said Section 4; thence turn an angle 86°18'45" from North to Easterly and go in an Easterly direction a distance of 55.43 feet to a point, said point being on the West right-of-way line of High Ridge Road; thence turn an angle of 106°18'33" from West to North and go in a Northerly direction along said West right-of-way line a distance of 81.09 feet to a point, said point being the Point of Curvature of a curve concave to the West and having a radius of 1,870.08 feet; thence go in a Northerly direction along the arc of said curve a distance of 472.97 feet to the POINT OF BEGINNING; SUBJECT TO an additional right-of-way for public road purposes for Lantana Road and an ingress and egress right-of-way for the benefit of Lots 5 and 6 of the PLAT OF LAKE OSBORNE PARK, as recorded in Plat Book 7 Page 10, being located on the southwest corner of the intersection of Lantana Road and High Ridge Road in the CC-Community Commercial Zoning District, is approved, subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein.
2. Condition number **A5** of Resolution **R-91-1472** which currently states:

Prior to November 30, 1991, the petitioner shall submit a revised site plan for this property to the Site Plan Review Committee, indicating a Planned General Commercial Development in conformance with the conditions of approval. The site plan shall meet the requirements of the Site Plan Review Committee by January 30, 1992, or be subject to the provisions of Zoning Code Section 402.6. The concurrency application for this site shall be submitted to reflect the site plan prior to site plan certification.

Is hereby amended to state:

- a. Prior to the issuance of the first building permit, the petitioner shall submit and have certified a revised site plan for this property, indicating a Planned General Commercial Development in conformance with the conditions of approval. (BUILDING - Zoning)
- b. The concurrency application for this site

shall be submitted to reflect the site plan prior to site plan certification. (ZONING)

Commissioner Roberts moved for approval of the Resolution.

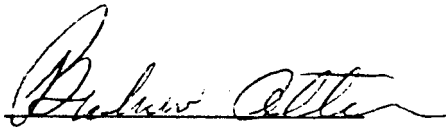
The motion was seconded by Commissioner Aaronson and, upon being put to a vote, the vote was as follows:

MARY MCCARTY, CHAIR	--	Aye
BURT AARONSON	--	Aye
KEN FOSTER	--	Aye
MAUDE FORD LEE	--	Aye
KAREN T. MARCUS	--	Aye
WARREN H. NEWELL	--	Absent
CAROL ROBERTS	--	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 28th day of July, 1994.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

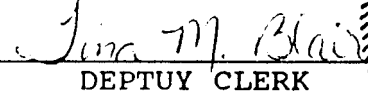
BY:



PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:


DEPTUY CLERK

