

RESOLUTION NO. R-90-584

RESOLUTION APPROVING ZONING PETITION NO. 89-23(A)
MODIFICATION OF COMMISSION REQUIREMENTS
PETITION OF SARRIA AND CABRERA ENTERPRISES, INC.

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. 89-23(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on October 26, 1989; 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. 89-23(A), the petition of SARRIA AND CABRERA ENTERPRISES, INC., BY ROBERT A. BENTZ, AGENT, for a MODIFICATION OF COMMISSION REQUIREMENTS, Lots 15-20, Block 18, Floral Park, according to the Plat thereof as recorded in Plat Book 23, Pages 129 & 130. Lying in Section 05, Township 45 South, Range 43 East, being located on the Southeast corner of the intersection of Somerset Road and Congress Avenue (SR 807), in a RS-Residential Single Family Zoning District, was approved on October 26, 1989 as advertised, subject to the following conditions:

1. The developer shall comply with all previous conditions of approval unless expressly modified herein.
2. The application and engineering plans, calculations, etc. to construct well and/or septic tank must be submitted to the Health Department prior to site plan approval.

3. Condition No. 14 of Zoning Petition No. 89-23 which presently states:

"14. The property owner shall construct a right turn lane, south approach, on Congress Avenue at the project's entrance road. Construction shall include **curb** and gutter where appropriate as determined by the county Engineer."

is hereby deleted.

4. No construction entry is allowed off Somerset Road.
5. The north access onto Congress Avenue shall be an exit only and the south access shall be an entrance only and shall be signed appropriately.
6. The hours of operation shall be limited from 6:00 a.m. to 9:00 p.m., Monday through Friday.
7. The sidewalks shall be repaired prior to Certificate of Occupancy in a manner acceptable to the County Engineer.

Commissioner Phillips moved for approval of the Resolution.

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

Carol J. Elmquist, Chair	-- AYE
Karen T. Marcus	-- ABSENT
Carol Roberts	-- AYE
Ron Howard	-- AYE
Carole Phillips	-- AYE

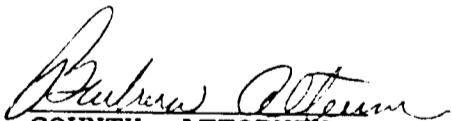
The Chair thereupon declared the resolution was duly passed and adopted this 3rd day of April, 1990.

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