

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 95-64.3
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-96-1967
WHICH APPROVED A DEVELOPMENT ORDER AMENDMENT
PETITION OF J.D. EASTRICH PROPERTIES NO. 1 LIMITED PARTNERSHIP
PETITION NO. SA 95-64(B)

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 95-64.3 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on October 2, 2001; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 95-64.3 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 Planned Unit Development does not meet the Countywide Traffic Performance Standards because the Lake Worth Road/Congress Avenue intersection exceeds capacity under Alternate Test #1.
2. With the amendment of conditions of approval, the project will meet the Countywide Traffic Performance Standards.
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 95-64.3, to amend Conditions of Approval of Resolution No. R-96-1967, the petition of J.D. Eastrich Properties No. 1 Limited Partnership, Petition No. SA 95-64(B), which approved a Development Order Amendment to a Planned Unit Development, on Parcel A: All of Lot C and the North 19 feet of Lot D, Tract 64, Palm Beach Farms Company Plat No. 7, Section 30, Township 44 South, Range 43 East, according to the Plat thereof, as recorded in Plat Book 5, Page 72, Public Records of Palm Beach County, Florida.

Parcel B: Lot E, Block 33, Lot E, Block 34, Lots A, B, and C, Block 63, Lots A and B, Block 64, Lots A, B, C, D, and E, Block 61, Lots A, R, C, D and E, Block 62, Palm Beach Farms Company Plat No. 7. Section 30, Township 44 South, Range 43 East, according to the Plat thereof, as recorded in Plat Book 5, Page 72, Public Records of Palm Beach County, Florida.

LESS the following:

A certain parcel of land in Section 30, Township 44 South, Range 43 East, Palm Beach County Florida, being more particularly described as follows:

The East 10.00 feet of Lot E, Block 33, the East 10.00 feet of Lots A, B, C and the East 10.00 feet of the North 19 feet of Lot D, Block 64, of the Palm Beach Farms Company Plat No. 7, according to the Plat thereof, as recorded in Plat Book 5, Page 72, Public Records of Palm Beach County, Florida, being located on the the west side of Congress Avenue, approximately 350 ft. north of 6th Avenue South, is approved, subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)
2. No building permits shall be issued until the contract is let for the construction of Congress Avenue from Lake Worth Road to Melaleuca Lane to a 6-lane divided cross section. (BLDG PERMIT: MONITORING - Eng)

Commissioner **Masilotti** moved for approval of the Resolution.

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

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

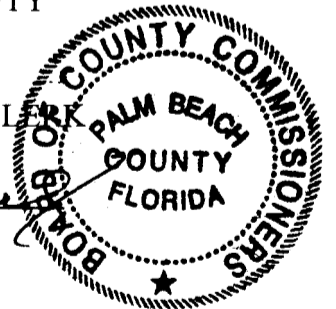
The Chair thereupon declared the resolution was duly passed and adopted this 2 day of October, 2001.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

BY: *Arvent POS*
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

DOROTHY H. WILKEN, CLERK
BY: *Joan H. Wilken*
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 2 day of October, 2001.