

RESOLUTION NO. R-2002-0494

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 1998-021
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-98-1807
WHICH APPROVED THE SPECIAL EXCEPTION OF
ROBERT WHITAKER, TRUSTEE
PETITION NO. 98-21

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 1998-021 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on April 4, 2002; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 1998-021 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 project does not meet the Countywide Traffic Performance Standards.
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 1998-021, to amend Conditions of Approval of Resolution No. R-98-1807, the Class A Conditional Use of Robert Whitaker, Trustee, Petition No. 98-21, which allowed a Professional/medical office on portions of Lots B, C, D, and E, Block 66, PALM BEACH FARMS CO. PLAT NO. 7, as recorded in Plat Book 5, Page 72, Public Records of Palm Beach County, Florida; being more particularly described as follows:

Commencing at the east quarter corner of Section 30, Township 44 South, Range 43 East; thence South 01°24'23" West (State Plane Grid Bearing Datum) along the east line of Section 30, a distance of 129.00

feet; thence North 87°50'45" West, 332.40 feet to the east line of Lot A, said Block 66; thence South 01°24'43" West along said east line 66.01 feet to the POINT OF BEGINNING; thence continue South 01°24'43" West, 246.52 feet to the north line of the south 102.29 feet of Lot D, Block 66; thence North 87°48'23" West along said North line, 50.00 feet; thence South 01°24'43" West along the west line of the east 50 feet of Lot D, Block 66, a distance of 102.25 feet to the south line of Lot D; thence North 87°47'34" West along said line, 117.62 feet; thence South 01°25'03" West along the east line of the west 150 feet of Lot E, Block 66, a distance of 135.91 feet to the south line of Lot E; thence North 87°46'46" West along the south line of Lot E, Block 66, a distance of 150.01 feet to the southwest corner of Lot E, Block 66; thence North 01°25'03" East along said line 470.41 feet to a point on the southeast right-of-way line of Melaleuca Lane being a non-tangent curve through which a radial line bears South 08°37'28" East; thence northeasterly along said right-of-way line, being an arc of a curve concave to the southeast having a radius of 791.00 feet, a central angle of 10°46'44", and an arc distance of 148.81 feet to a point of tangency; thence South 87°50'45" East along said right-of-way, 169.49 feet to the POINT OF BEGINNING, being located on the south side of 6th Ave. S., approx. 0.1 mile west of Congress Ave. in the Commercial Low Office (CLO) 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. No building permits shall be issued until the contract has been awarded for Congress Avenue from 6th Avenue South to Lake Worth Road as a 6-lane divided cross section. (BLDG PERMIT: MONITORING - Eng)

Commissioner Aaronson 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:

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

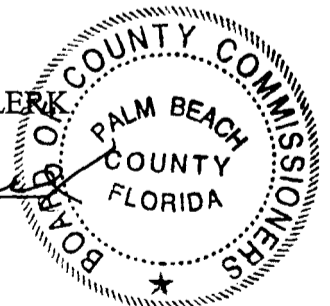
The Chair thereupon declared the resolution was duly passed and adopted this 4 day of April, 2002.

APPROVED AS TO FORM
AND LEGAL, SUFFICIENCY

BY: [Signature]
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK
BY: [Signature]
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 14 day of May, 2002.