

RESOLUTION NO. R-94- 943

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. CR 77-133D/A7
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-93-895
WHICH APPROVED THE SPECIAL EXCEPTION OF
CROSS COUNTY PARTNERS
PETITION NO. 77-133(D)

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 **77-133D/A7** 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 **77-133D/A7** 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 property owner is currently negotiating with the Florida Department of Transportation to allow the Site improvements to be made.

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 **77-133D/A7**, to amend Conditions of Approval of Resolution No. R-93-895, the **Special Exception** of Cross County Partners, Petition No. 77-133 (D) , confirmed by the adoption of Resolution R-93-895, which approved a Development Order Amendment in the CG-General Commercial Zoning District to amend a condition of approval, being located on the southeast corner of the intersection of Military Trail and Okeechobee Boulevard on the north side of **Westgate** Avenue, is approved, subject to the following conditions:

1. All previously approved conditions continue to apply unless modified herein.
2. Condition number A.7. of Resolution R-93-895 which currently states:

Prior to December 15, 1994, the petitioner shall remove all prohibited vegetation from site and install landscaping, site improvements, pursuant to Exhibit ID), (Petition 77-133(D)), specifications and phasing schedule. Required to implement Code Enforcement Board order.

Is hereby amended to state:

Prior to July 1, 1995, the property owners shall remove all prohibited vegetation from site and install landscaping and site improvements for all phases pursuant to Exhibit (D), (Petition 77-133(D)) specifications. The dates for each phase shown on Exhibit D shall no longer apply.

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

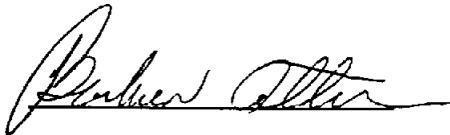
The motion was seconded by **Commissioner** Aaronson and, upon being put to a vote, the vote was as follows:

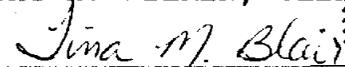
MARY MCCARTY, CHAIR	--	Aye
BURT AARONSON	--	Aye
KEN FOSTER	--	Aye
MAUDE FORD LEE	--	Aye
KAREN T. MARCUS	--	Aye
WARREN H. NEWELL	--	Absent
CAROL ROBERTS	--	Aye

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

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

BY: 

DOROTHY H. WILKEN, CLERK
BY: 
DEPTUY CLERK

