

RESOLUTION NO. R-94-1675

RESOLUTION APPROVING RECOMMENDATION **OF**
STATUS REPORT NO. CR 85-150/2.2
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-92-884
WHICH AMENDED CONDITIONS OF APPROVAL OF
THE BOARD OF COUNTY COMMISSIONERS
STATUS REPORT SR 85-150.5

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 85-150/2.2 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on December 5, 1994; and

WHEREAS, the Board of County Commissioners has reviewed Status Report CR 85-150/2.2 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 condition listed below requires 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 85-150/2.2, to amend Conditions of Approval of Resolution No. R-92-884, the Development Order of the Board of County Commissioners, Status Report SR 85-150.5, confirmed by the adoption of Resolution R-92-884, which modified conditions of approval, on Lot 1, Block 3, Laguna Park No. 2, in Section 7, Township 44 South, Range 43 East, as recorded in Plat Book 21, Page 65, being located on the southwest corner of the intersection of Congress Avenue and Melaleuca Road in the CS-Specialized Commercial District, is approved, subject to the following conditions:

1. All previous conditions of approval continue to apply unless expressly modified herein.
2. Condition number 2 of Resolution R-92-884 which currently states:

Prior to September 30, 1992, the property shall submit, and have certified, a site plan which complies to the maximum extent possible with the landscape code in effect at that time.

Is hereby amended to state:

Prior to the issuance of a building permit, the property shall submit, and have certified, a site plan which complies to the maximum extent possible with the landscape code in effect at that time.

Commissioner Newell 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:

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

The Chair thereupon declared the resolution was duly passed and adopted this 5th day of December, 1994.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

BY: *Barbara Altier*

DOROTHY H. WILKEN,

BY: *Jina M. Bain*
DEPTUY CLERK

