

RESOLUTION NO. R-89- 1162

RESOLUTION APPROVING ZONING PETITION NO. 87-65(A)  
MODIFICATION OF COMMISSION REQUIREMENTS  
PETITION OF H.A.S. LAND DEVELOPMENT, 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 Ordinance No. 73-2 have been satisfied: and

WHEREAS, Petition No. 87-65(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on December 29, 1988; and

WHEREAS, the Board of County Commissioners 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 made the following findings of fact:

1. This proposal is consistent with the requirements of the Comprehensive and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that Petition No. 87-65(A), the petition of H.A.S. LAND DEVELOPMENT, INC., by Kieran J. Kilday, Agent, for a HODIFICATION OF COMMISSION REQUIREMENTS on a parcel of land lying on the North 192.90 feet of the following: Tracts 13 and 14, Blk 78, Palm Beach Farms Company Plat No. 3 in Section 19, Township 47 South, Range 42 East as recorded in Plat Book 2, pages 45-54 inclusive, being located on the east side of State Road 7 (US 441), approximately .2 mile north of 212th Street, in a CS-Specialized Commercial Zoning District, was approved as advertised, subject to the following conditions:

1. The developer shall comply with all previous conditions of approval unless expressly modified herein.
2. The Petitioner shall comply with all previous conditions of approval unless expressly modified herein.

3. Condition No. 9 of Zoning Petition No. 87-65 which presently states:

"9. Based on the Traffic Performance Standards (Category "A"), the developer shall contribute an additional \$63,800.00 toward Palm Beach County's existing Roadway Improvement Program, these total funds of \$191,401.00 to be paid prior to the issuance of the first building permit or prior to December 1, 1987 whichever shall first occur.

is hereby amended to read as follows:

"Based on the Traffic Performance Standards (Category "A"), the developer shall contribute an additional \$63,800.00 toward Palm Beach County's existing Roadway Improvement Program, these total funds of \$191,401.00 to be paid prior to the issuance of the first building permit or prior to May 31, 1989, whichever shall first occur."

4. Failure to comply with any conditions of approval may result in the denial or revocation of a building permit; the issuance of a stop work order; the denial of a Certificate of Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer-owner, commercial-owner, lessee, or user of the subject property. Appeals from such action may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Palm Beach County Zoning Code.

Commissioner Howard moved for approval of the petition. The motion was seconded by Commissioner Roberts and, upon being put to a vote, the vote was as follows:

Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Absent
Carol Roberts	--	Aye
Ron Howard	--	Aye
Carole Phillips	--	Aye

The foregoing resolution was declared duly passed and adopted this 13th day of June, 1989 confirming action of December 29, 1988.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY :

  
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY :

  
DEPUTY CLERK