

RESOLUTION NO. R-89- 1614

RESOLUTION APPROVING ZONING PETITION NO. 88-56(A)  
MODIFICATION OF COMMISSION REQUIREMENTS  
PETITION OF SARRIA AND CABRERA ENTERPRISES, 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 have been satisfied; and

WHEREAS, Petition No. 88-56(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on May 25, 1989: and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, 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, sitting as the Zoning Authority, made the following findings of fact:

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

WHEREAS, 402.5 of the Zoning Code requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that Petition No. 88-56(A), the petition of SARRIA AND CABRERA ENTERPRISES, INC., for a MODIFICATION OF COMMISSION REQUIREMENTS on a parcel of land lying on the South 209.52 feet of a parcel of land in Section 2, Township 43 South, Range 42 East: Commencing at the Northeast corner of the replat of Gramercy Park, Unit Two, Plat Book 27, Page 178; thence on an assumed bearing of due east, along the Easterly prolongation of the North line of said replat, a distance of 140.45 feet to the East line of said Section 2; thence North 03 degrees 27' 08" East, along the said Section line, a distance of 200.00 feet to the Point of Beginning; thence continue North 03 degrees 27' 08" East, a distance of 491.33 feet to a point in a line 50.00 feet South of and parallel with the North line of said Section 2: thence North 89 degrees 59' 07" West, along said parallel line, a distance of 288.00 feet; thence due South, a distance of 490.45 feet; thence due East, a distance of 258.43 feet to the Point of Beginning: Excepting therefrom the right-of-way for Haverhill Road as now laid out and in use, subject to easements for ingress-egress, and public utilities over the West 20.00 feet and the South 20.00 feet thereof, being located on the west side of Haverhill Road, approximately 35C feet north of Eadie Place, in the RS-Single Family Residential Zoning

District, was approved on May 25, 1989 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 88-56 presently states:

"The Property owner shall construct a left turn lane, south approach and a right turn lane, north approach on Haverhill Road at the project's entrance road concurrent with onsite paving and drainage improvements. Construction shall be completed prior to the issuance of a Certificate of Occupancy."

is hereby amended to read as follows:

"The Property owner shall construct a left turn lane, south approach on Haverhill Road at the project's entrance road concurrent with onsite paving and drainage improvements. Construction shall be completed prior to the issuance of a Certificate of Occupancy."

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 Marcus 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:

Carol J. Elmquist, Chair	--	AYE
Ron Howard	--	AYE
Karen T. Marcus	--	AYE
Carole Phillips	--	AYE
Carol Roberts	--	AYE

The Chair thereupon declared the resolution was duly passed and adopted this 12th day of September 1989.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY : [Signature]  
COUNTY ATTORNEY

BY : [Signature]  
DEPUTY CLERK