

RESOLUTION NO. R-89-2209

RESOLUTION APPROVING ZONING PETITION NO. 88-64(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. 88-64(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on June 29, 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. 88-64(A), the petition of SARRIA AND CABRERA ENTERPRISES, INC., by Robert Bentz, Agent, for a MODIFICATION OF COMMISSION REQUIREMENTS on a parcel of land lying on Lots 24 through 30, of Section 12, Township 44 South, Range 42 East, Replat of Bergantino Estates, Plat Book 23, page 193, being located on the southwest corner of the intersection of Park Avenue and Seton Avenue, in the RM-Multiple Family Residential Zoning District was approved on June 29, 1989 as advertised, subject to the following conditions:

1. The petitioner shall comply with all previous conditions of approval unless expressly modified herein.
2. Condition No. 1.b. of Zoning Petition No. 88-64 which presently states:
 - "1. Prior to certification, the site plan shall be amended to indicate the following:

b. **A six (6) foot high solid wood fence around the outdoor activity area;"**

is hereby amended to read,

"Prior to certification, the site plan shall be amended to indicate the following:

b. A solid wooden six (6) foot high fence shall be located in the landscape strip surrounding the outdoor activity area where it abuts residential developments. A six (6) foot high chain link fence shall be located surrounding the outdoor activity area where it abuts non-residential **uses.**"

Commissioner Roberts moved for approval of the Resolution.

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

Carol J. Elmquist, Chair	--	Absent
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 December, 1989.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY :


COUNTY ATTORNEY

BY: 
DEPUTY CLERK

