#### RESOLUTION NO. R-90- 1171

RESOLUTION APPROVING RECOMMENDATION OF STATUS REPORT NO. CR 89-33/7.2 TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. 89-2227 WHICH APPROVED THE SPECIAL EXCEPTION OF MICHAEL BENDE PETITION NO. 89-33

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 402.6 of the Palm Beach County Zoning Code have been satisfied; and

WHEREAS, pursuant to Section 402.6, Status Report CR 89-33/7.2 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at a public hearing conducted on January 2, 1991; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, has reviewed Status Report CR 89-33/7.2 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, Section 402.6 of the Palm Beach County Zoning Code authorizes the Board of County Commissioners, sitting as the Zoning Authority, to add or modify conditions of approval; 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 Plan and local land development regulations; and
- 2. The conditions listed below require this petition to develop more in conformity with current standards of development.

WHEREAS, Section 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 the recommendation of Status Report No. CR 89-33/7.2, amending Conditions of Approval of Resolution No. 89-2227, the Special Exception of Michael Bende, Petition No. 89-33, on a parcel of land lying on Tract 1, less the South 393.66 feet thereof, Section 20, Township 46 South, Range 42 East, Palm Beach Farms Company Plat No. 1, Plat Book 2, Pages 26 through 28 inclusive, being located on the south side of Delray West Road (SR 806), approximately .75 mile east of Florida's Turnpike (Sunshine State Parkway) in a CS-Specialized Commercial Zoning District, is approved, as amended, subject to the following conditions:

 The property owner shall comply with all previous conditions of approval unless expressly modified herein. Meeting Date: September 3, 1991

Agenda Item #:\_

#### PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

R-91-1172

BIE 7-0

Consent (X)

Regular ( )

Ordinance ( )

Public Hearing (

### I. EXECUTIVE BRIEF

Request Submitted By: Planning. Zoning and Building Department/Zoning For:

MOTION and TITLE: Staff recommends a motion to adopt: Resolution for Status Report heard by the Board of County Commissioners (Zoning Authority) on March 28, 1991, as follows:

Status Report:

Action:

Hearing Date:

SR 76-31(A)

Amending Conditions of Approval

March 28, 1991

SUMMARY: The recommendations for the above Status Report was approved by the Board of County Commissioners, sitting as the Zoning Authority, in compliance with Zoning Code Section 402.6 (Compliance with Conditions of Approval and Time Certain Requirements)/Section 402.9 (Mandatory Review of Development Approval), and are now ready to be adopted by the Board of County Commissioners (Legislative Authority) as resolutions.

Background and Justification: Pursuant to Sections 402.6 and 402.9, the Board of County Commissioners (Zoning Authority), is authorized to add or modify conditions of approval at public hearings for Status Reports. The following resolution reflect the actions of the Board, sitting as the Zoning Authority, for the above Status Report.

## Attachments:

- a. Petition Summary
- b. Resolution

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| Recommended by:           | ent -                          | 16/9/   |
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| Reviewed by: VV           | Mrs 1. Warney                  | 9(1/1)  |
| <i>&gt; 9</i> 0           | FMB Signature                  | Date    |
| Legal Sufficiency: Ale    | Sun allen                      | 8/12/91 |
| $\nu$                     | punty Attorney                 | / Date  |
| Approved by:              | Chillen                        | P/1~191 |
| 7                         | Assistant County Administrator | Date    |

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PREM: (Real Estate Transactions Only)

OTHER:

R91 1172

REVISED 10/89 ADM FORM 01

# PALM BEACH COUNTY COMMISSIONERS SITTING AS THE ZONING AUTHORITY

MARCH 28, 1991

THE FOLLOWING PETITION WAS APPROVED:

PETITION NO.

PETITIONER/ACTION

COMMERCIAL DEVELOPMENT.

VOTE

SR 76-31(A)

ORIGINAL PETITIONER: JAMES D. LASSITER,
RAYMOND G. TRONZO, & JOHN T. CHRISTIANSON.
STATUS REPORT & STAFF RECOMMENDATION FOR
PROPERTY ON THE SOUTHEAST CORNER OF CONGRESS
AVE. & OKLAHOMA STREET, BOUNDED ON THE SOUTH
BY SUMMIT BOULEVARD. THE PROPERTY IS CURRENTLY
ZONED CG-GENERAL COMMERCIAL ZONING DISTRICT,
WITH A SPECIAL EXCEPTION TO ALLOW A PLANNED

4-0 LEE, MCCARTY & PHILLIPS ABSENT