

RESOLUTION NO. R-91-1822

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. CR 91-19/E2
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-91-994
WHICH APPROVED THE SPECIAL EXCEPTION OF
HARRELL A. AND CAROL L. CHAMPION,
RAFFAELE, MICHAELANGELO, AND KIM TROPEANO
PETITION NO. 91-19

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 91-19/E2 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at a public hearing conducted on October 24, 1991; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, has reviewed Status Report CR 91-19/E2 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 91-19/E2, amending Conditions of Approval of Resolution No. R-91-994, the Special Exception of Harrell A. and Carol L. Champion, Raffaele, Michaelangelo, and Kim Tropeano, Petition No. 91-19, on Lots 21 through 30 and 54 through 57, Block 34, WESTGATE ESTATES, (NORTHERN SECTION), Plat Book 8, Page 38, Section 30, Township 43 South, Range 43 East, being located on the southwest corner of the intersection of Westgate Avenue and Osceola Drive, bounded by Nokomis Avenue on the South in a CG-General Commercial Zoning District, is approved, as amended, subject to the following conditions:

1. The petitioner shall comply with all previous conditions of approval unless expressly modified herein.
2. Condition number E2 which presently states:

Prior to August '1, 1991 or prior to the issuance of the first Building Permit, whichever shall first occur, the property owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed for a 25 foot safe sight corner at Westgate Avenue and Osceola Drive, free of all encumbrances and encroachments. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. Right-of-way conveyances shall also include "Safe Sight Corners" appropriate at intersections as determined by the County Engineer.

is hereby amended to state:

Prior to December 1, 1991 or prior to the issuance of the first building permit, whichever shall first occur, the property owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed for a 25 foot safe sight corner at Westgate Avenue and Osceola Drive, free of all encumbrances and encroachments. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. Right-of-way conveyances shall also include "Safe Sight Corners" appropriate at intersections as determined by the County Engineer.

Commissioner Roberts moved for approval of the Resolution.

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

KAREN T. MARCUS, CHAIR	--	aye
CAROL J. ELMQUIST	--	aye
CAROL ROBERTS	--	aye
CAROLE PHILLIPS	--	aye
MARY MCCARTY	--	aye
KEN FOSTER	--	aye
MAUDE FORD LEE	--	aye

The Chair thereupon declared the resolution was duly passed and adopted this ____ day of DEC 10 1991, 1991.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY:

[Handwritten Signature]

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

[Handwritten Signature]

