

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 88-97
TO AMEND CONDITIONS OF APPROVAL OF
RESOLUTION NO. R-89-714
WHICH APPROVED THE SPECIAL EXCEPTION OF AN-SCA
INVESTMENT CO. INC. AND PAUL A. AND EDNA G. RICHERA
PETITION NO. 88-97

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

WHEREAS, pursuant to Section 402.9, Status Report SR 88-97 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at a public hearing conducted on August 27, 1992; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, has reviewed Status Report SR 88-97 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, Section 402.9 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. SR 88-97, amending Conditions of Approval of Resolution No. R-89-714, the Special Exception of AN-SCA Investment Co. Inc. and Paul A. and Edna G. Fichera, Petition No. 88-97, which granted a Special Exception to permit a Planned Unit Development (Ponte Vecchio), on a parcel of land lying at Tracts 1,2,3,4, the East 47.00 feet of Tract 5, the East 12.45 feet of Tract 30, the North 66.00 feet of Tracts 31 and 32, Block 73 of Palm Beach Farms Company Plat No. 3 as recorded in Plat Book 2, Page 52, less the North 110.00 feet and the East 29.00 feet thereof, being located on the southwest corner of the intersection of Clint Moore Road and Lyons Road, in a RS-Single Family Residential Zoning District, is approved, subject to the following conditions:

1. The petitioner shall comply with all previous conditions

of approval unless expressly modified herein.

2. Condition number 10 of Resolution R-89-714 which states:

In order to comply with the mandatory traffic performance standards, the property owner shall be restricted to the following phasing schedule:

- a) No building permits shall be issued after January 1, 1991 for this project, until Lyons Road has been constructed as a four-lane facility from New England Boulevard to Clint Moore Road. If all building permits are not obtained prior to this date, Palm Beach County will revisit this zoning approval for compliance with the Traffic Performance Standards for the project in its entirety. Action taken by Palm Beach County shall include but not be limited to rezoning of the remaining property from RS to AR, or additional conditions for major road improvements.

Is hereby deleted.

Commissioner Roberts moved for approval of the Resolution.

The motion was seconded by Commissioner Foster 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	--	Absent
MARY MCCARTY	--	Absent
KEN FOSTER	--	Aye
MAUDE FORD LEE	--	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 3rd day of November, 1992.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

BY: *Bruce Allen*

MILTON T. BAUER, CLERK BY: *Robert Johnson*

