

RESOLUTION NO. R-2001- 0438

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 94-82
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-95-120
WHICH APPROVED THE SPECIAL EXCEPTION OF
FRIEDA IGNATOFF AND ROSE EDWARDS
PETITION NO. 94-82

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 5.8 of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, pursuant to Section 5.8, Status Report SR 94-82 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on March 22, 2001; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 94-82 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, Section 5.8 of the Palm Beach County Land Development Code authorizes the Board of County Commissioners to add or modify conditions of approval; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The development order currently does not meet the Countywide Traffic Performance Standards.
2. The amendment of conditions of approval will ensure that the project meets the Countywide Traffic Performance Standards prior to the approval of any additional building permits.
3. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and the Unified Land Development Code.

WHEREAS, Section 5.3 of the Palm Beach County Land Development Code requires that the action of the Board of County Commissioners 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 94-82, to amend Conditions of Approval of Resolution No. R-95-120, the Class A Conditional Use of Frieda Ignatoff and Rose Edwards, Petition No. 94-82, which approved an elementary and secondary school on property legally described in Exhibit A, being located approximately 0.25 miles north of Community Drive on the west side of Military Trail in the Residential Transitional Urban Zoning District, is approved, subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)

2. Prior to the issuance of the next building permit, the property owner shall submit a new traffic study which documents that the project meets the Countywide Traffic Performance Standards. (BLDG PERMIT: MONITORING-En@

Commissioner **Marcus** moved for approval of the Resolution.

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

WARREN H. NEWELL, CHAIRMAN	—	Absent
CAROL A. ROBERTS, VICE CHAIR	—	Aye
BURT AARONSON	—	Aye
ADDIE GREENE	—	Aye
KAREN T. MARCUS	—	Aye
TONY MASILOTTI	—	Aye
MARY MCCARTY	—	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 22 day of March, 2001.

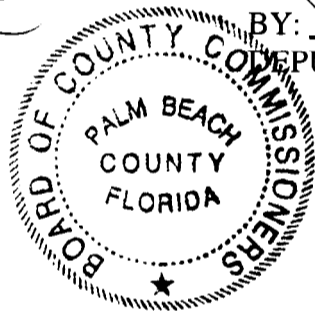
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK



LEGAL DESCRIPTION

EXHIBIT "A"

LEGAL DESCRIPTION:

Being the East one half (E ½) of the North 330 feet of the South 1815 feet of the Southwest one quarter (SW ¼) of Section 13, Township 43 South, Range 42 East, Palm Beach County, Florida.

LESS the West 433.11 feet, **ALSO LESS** the North 300 feet of the West 225 feet of the East 275 feet and **ALSO LESS** the East 50 feet for Military Trail Right-of-way, thereof.

TOGETHER with the North 165 feet of the South 1485 feet of the East one half (EX) of the Southwest one quarter (SW ¼) of Section 13, Township 43 South, Range 42 East, Palm Beach County, Florida.

LESS the West 433.11 feet and **ALSO LESS** the East 50 feet for Military Trail Right-of-way, thereof.