

RESOLUTION NO. R-2003-0942

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 1995-108.3
TO APPROVE A DEVELOPMENT ORDER AMENDMENT
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-96-541
WHICH APPROVED THE CONDITIONAL USE "A" OF
JADE LAND COMPANY
PETITION NO. 1995-108

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 1.63 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 1995-108.3 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on June 26, 2003; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 1995-108.3 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, Resolution No. 96-541, is not consistent with the Palm Beach County Unified Land Development Code because the certified site plan has not been reviewed for consistency with "Architectural Guidelines," Section 6.6.E., of the Unified Land Development Code.
2. With the amendment of conditions of approval, the project will be consistent with the Unified Land Development Code.
3. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and with 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 1995-108.3, to approve a Development Order Amendment to amend conditions of approval of Resolution No. R-96-541, the Conditional Use "A" of Jade Land Company, Petition No. 1995-108, which approved a Wholesale Building Supply, property legally described as Lots 8 through 15 and 40 through 44, as one, Block 30, according to the plat of West Gate Estates (Northern Section), as recorded in Plat Book 8, page 38, Public Records of Palm Beach County, Florida, being located on the north side of Westgate Avenue, approximately 200 feet east of Loxahatchee Drive in the CG-General Commercial 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 a building permit, the property owner shall submit an application to the Development Review Committee for review and certification that the project is in compliance with Section 6.6.E. of the Palm Beach County Unified Land Development Code, "Architectural Guidelines." (BLDG PERMIT: MONITORING - Zoning)

Commissioner Koons moved for approval of the Resolution.

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

KAREN T. MARCUS, CHAIR	—	Aye
TONY MASILOTTI, VICE CHAIRMAN	—	Absent
JEFF KOONS	—	Aye
WARREN H. NEWELL	—	Aye
MARY MCCARTY	—	Aye
BURT AARONSON	—	Aye
ADDIE L. GREENE	—	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 26 day of June, 2003.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: [Signature]
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WICKEN, CLERK
BY: [Signature]
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 22 day of July, 2003.