

RESOLUTION NO. R-2003-1125

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 1992-035.5
TO AMEND VOLUNTARY COMMITMENTS OF RESOLUTION NO. R-92-1839
WHICH APPROVED THE REZONING OF
ARTHUR ROSACKER
PETITION NO. 1992-035

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 1992-035.5 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on July 24, 2003; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 1992-035.5 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 voluntary commitments; and

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

1. The zoning is consistent with the land use designation of the Palm Beach County Comprehensive Plan and with the Unified Land Development Code except for Countywide Traffic Performance Standards.
2. The project will meet the Countywide Traffic Performance Standards with the amendment of voluntary commitments.
3. The amendment of voluntary commitments is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.
4. The property owner has agreed to the amendment of voluntary commitments.

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 1992-035.5, to amend voluntary commitments of Resolution No. R-92-1839, the rezoning petition of Arthur Rosacker, Petition No. 1992-035, to rezone to CG-General Commercial, property legally described as: on the West Half (W. ½) of the Northwest Quarter (N.W. 1/4) of the Northeast Quarter (N.E. 1/4) of the Northeast Quarter (N.E. 1/4) of Section 22, Township 46 South, Range 42 East, Palm Beach County, Florida. Less the Right of way for State Road 806, being located on the south side of West Atlantic Avenue, 1/4 mile east of Jog Road, is approved, subject to the following conditions:

- I. All previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)
2. Building permits for no more than 20,000 square feet of retail (or equivalent land use generating 120 P.M. peak hour trips as approved by the County Engineer) shall be issued until the contract is awarded for the construction of Jog Road from Lake Ida Road to West Atlantic Avenue to a six-lane divided cross section. (BLDG PERMIT: MONITORING - Eng)

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:

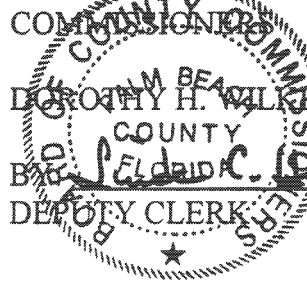
KAREN T. MARCUS, CHAIR	___	Aye
TONY MASILOTTI, VICE CHAIRMAN	___	Absent
JEFF KOONS	___	Aye
WARREN H. NEWELL	___	Absent
MARY MCCARTY	___	Absent
BURT AARONSON	___	Aye
ADDIE L. GREENE	___	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 24 day of July, 2003.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK
BY [Signature]
DEPUTY CLERK



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