

RESOLUTION NO. R-94- 107

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. CR S88-65/2.2
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-92-1661
WHICH AMENDED CONDITIONS OF APPROVAL OF THE SPECIAL EXCEPTION OF
HOWARD DARDASHTI
PETITION NO. 88-65

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 CR **S88-65/2.2** was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on **JANUARY 27, 1994**; and

WHEREAS, the Board of County Commissioners has reviewed Status Report CR **S88-65/2.2** 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. 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 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. CR **S88-65/2.2**, to amend Conditions of Approval of Resolution No. R-92-1661, a Resolution which amended conditions of approval of the Special Exception of Howard Dardashti, Petition No. 88-65, confirmed by the adoption of Resolution R-92-1661, which granted a Special Exception to permit a Planned Commercial Development (PCD) on a parcel of land lying on Lot E, Block 1, Palm Beach Farms Co. Plat No. 7, in Section 30, Township 44 South, Range 43 East, as recorded in **Plat** Book 5, Page 72. Less, the South 35 feet thereof for Canal Right-of-Way, being located on the west side of Congress Avenue (S.R. **#807**) approximately 0.1 of a mile south of Lake Worth Road (S.R. **#802**) in a the CG-General Commercial Zoning District, is approved, subject to the following conditions:

1. All previous conditions of approval continue to apply unless expressly modified herein.

2. Condition number 2 of Resolution R-92-1661 which states:

On or before December 7, 1992, the property owner shall have certified a site plan which complies with the current landscape code.

Is hereby amended to state:

Prior to issuance of a building permit, the property owner shall have certified a site plan which complies with the current landscape code.

Commissioner Foster moved for approval of the Resolution.

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

MARY MCCARTY, CHAIR	--	dye
BURT AARONSON	--	Aye
KEN FOSTER	--	Aye
MAUDE FORD LEE	--	Absent
KAREN T. MARCUS	--	Aye
WARREN H. NEWELL	--	Absent
CAROL ROBERTS	--	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 27th day of January 1994.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

BY: *Robert Alter*

DOROTHY H. WILKEN, CLERK BY: *Jina M. Blair* DEPTUY CLERK

