

RESOLUTION NO. R-95- 727

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. CR 89-43B/F1
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-93-174
WHICH APPROVED THE SPECIAL EXCEPTION OF
JOHN STALUPPI
PETITION NO. 89-43 (B)

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 89-43B/F1 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on May 25, 1995; and

WHEREAS, the Board of County Commissioners has reviewed Status Report CR 89-43B/F1 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;
2. The property owner has failed to comply with condition number F.1 of Resolution R-93-174; and
3. The amendment of conditions of approval provides an alternative to condition number F.1. which is acceptable to the Palm Beach County Engineering and Public Works Department.

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 89-43B/F1, to amend Conditions of Approval of Resolution No. R-93-174, the Special Exception of John Staluppi, Petition No. 89-43(B), confirmed by the adoption of Resolution R-93-174, which approved a Development Order Amendment in the CG-General Commercial Zoning District, to amend the site plan for a Vehicle Sales and Rental Facility, on Parcel 1: On the East 125 feet of the West 750 feet of the North 111.04 feet of the South Half of the Northeast Quarter of the Southwest Quarter of Section 1, Township 44 South, Range 42 East, Palm Beach County, Florida, LESS the South 30 feet thereof; said lands situate, lying and being in Palm Beach County, Florida. Parcel 2: The East 125 feet of the West 875 feet of the North 111.04 feet of the South

Half of the Northeast Quarter of the Southwest Quarter of Section 1, Township 44 South, Range 42 East, Palm Beach County, Florida, A.K.A. Lot G-G Gardenettes, an unrecorded subdivision. Parcel 3: The East 125 feet of the West 1125 feet of the North 81.04 feet; and the West 170.21 feet of the East 210.21 feet of the North 81.4 feet; all lying and being in the South One Half (S 1/2) of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 1, Township 44 South, Range 42 East, Palm Beach County, Florida. Parcel 4: The East 125 feet of the West 1000 feet of the North 111.07 feet of the South 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section 1, Township 44 South, Range 42 East, also known as Lot H-H, in Gardenettes, an unrecorded plat.

Containing in all 1.224 acres, more or less, being located on the west side of Military Trail approximately one-half (1/2) of a mile north of Summit Boulevard in 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. Prior to August 30, 1995, in lieu of complying with condition number F.1. of Resolution R-93-174, the property owner shall contribute an amount equal to the pro rata share based on linear footage of the cost of installation of the requirements of Condition F.1. of Resolution R-93-174 to the Land Development Division of the Palm Beach County Engineering and Public Works Department, or its assignee. The total amount of the contributions shall be \$5,000.00. (MONITORING - Engineering)

Commissioner Marcus 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:

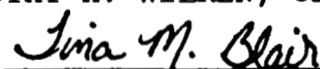
KEN FOSTER, CHAIR	--	Aye
BURT AARONSON	--	Aye
MARY MCCARTY	--	Absent
MAUDE FORD LEE	--	Absent
KAREN T. MARCUS	--	Aye
WARREN H. NEWELL	--	Aye
CAROL ROBERTS	--	Absent

The Chair thereupon declared the resolution was duly passed and adopted this 25th day of May, 1995.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 

DOROTHY H. WILKEN, CLERK
BY: 
DEPUTY CLERK

