

RESOLUTION NO. R-97- 1296

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. SR 89-98.5  
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-90-365  
WHICH APPROVED THE SPECIAL EXCEPTION OF  
ALLAN GLUCKSTERN  
PETITION NO. 89-98  
/

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 89-98.5 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on September 25, 1997; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 89-98.5 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 conditions of approval; and

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

1. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.
2. The project can only meet the Countywide Traffic Performance Standards by phasing to the construction of Melaleuca Lane.

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 89-98.5, to amend Conditions of Approval of Resolution No. R-90-365, the Special Exception of Allan Gluckstem, Petition No. 89-98, which granted a Special Exception to permit a Planned Commercial Development on Parcel V:

The East 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 25, Township 44 South, Range 42 East, less: the East 40.00 feet thereof, the North 756.26 feet thereof, and the South 400.00 feet thereof.

Parcel VI:

The South 400.00 feet of the East 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 25, Township 44 South, Range 42 East, less the East 40.00 feet thereof. Containing 7.56 acres, more or less and subject to easements and rights of way of record., being located on the west side of Military Trail (S.R. #809), approximately 0.2 of a mile south of Melaleuca Lane in the CG-General Commercial Zoning District, is approved, subject to the following conditions:

1. All previously approved conditions of approval contained in Resolution R-90-365 continue to apply unless expressly modified herein. (ONGOING)
2. Prior to the issuance of the first building permit, construction of Melaleuca Lane (Military Trail to Haverhill road) to a five lane cross section shall commence. (BLDG PERMIT: MONITORING-Eng)

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

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

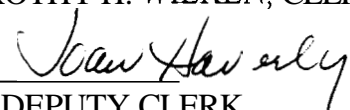
<b>BURT AARONSON</b> , CHAIRMAN	—	Aye
MAUDE FORD LEE, VICE CHAIR	—	Absent
KEN FOSTER	—	Aye
KAREN T. MARCUS	—	Aye
<b>MARY MCCARTY</b>	—	Absent
WARREN H. NEWELL	—	Aye
CAROL ROBERTS	—	Aye

The Chair thereupon declared the resolution **was** duly passed and adopted this 25 day of September, \_\_\_\_\_, 1997.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, **FLORIDA**  
BY ITS **BOARD** OF COUNTY  
COMMISSIONERS

BY:   
COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK  
BY:   
DEPUTY CLERK

