

RESOLUTION NO. R-89-1231

RESOLUTION APPROVING ZONING PETITION NO. 72-51(C)
MODIFICATION OF COMMISSION REQUIREMENTS
PETITION OF EASTLAND DEVELOPMENT CORPORATION

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, the notice and hearing requirements as provided for in Chapter 402.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 72-51(C) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on January 27, 1989; and

WHEREAS, the Board **of** County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various county review agencies and the recommendations of the Planning Commission; and

WHEREAS, this approval is subject to Zoning Code Section 402.9 (Mandatory Review **of** Development Approvals) and other provisions requiring that development commence in a timely manner: and

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

1. This proposal is consistent with the requirements **of** the Comprehensive and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that Petition No. 72-51(C), the petition of EASTLAND DEVELOPMENT CORPORATION, by Granvil Tracy, Agent, for a MODIFICATION **OF** COMMISSION REQUIREMENTS **on** a parcel of land lying on Tracts 1-E through 14-E inclusive, Tract R-2 and Tract **B**, of the Replat of the Plat of Bent Tree Gardens, in Section 24, Township **45** South, Range 42 East recorded in Plat Book **40**, Page **71**, being located on the west side of Lawrence Road, approximately **250** feet north of Boynton Beach Boulevard, in an AR-Agricultural Residential Zoning District, was approved as advertised, subject to the following conditions:

1. The developer shall comply with all previous conditions of approval unless expressly modified herein.
2. Condition No. 5 of Zoning Petition No. 72-51(B) which presently states:

"5. The property owner shall construct:

- a) left turn lane, south approach and a right turn lane, north approach on Lawrence Road at the project's entrance road.
- b) left turn lane, west approach
- c) separate right turn lane, south approach on Lawrence Road at Old Boynton Road including curb and gutter if required by the County Engineer on both the east and west side of pavement on Lawrence Road all concurrent with onsite paving and drainage improvements.

is hereby amended to read **as** follows:

"The property owner shall construct:

- a) left turn lane, south approach and a right turn lane, north approach on Lawrence Road at the project's entrance road.
- b) left turn lane, west approach

- 3. The property owner shall fund the construction of a right turn lane, south approach on Lawrence Road at Old Boynton Road. The amount of this funding shall be limited to an amount of **\$8,000**. These funds shall be paid prior to June 1, 1989.
- 4. Failure to comply with any conditions of approval may result in the denial **or** revocation of a building permit; the issuance **of** a stop work order; the denial **of** a Certificate **of** Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer-owner, commercial-owner, lessee, or user of the subject property. Appeals from such action may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Palm Beach County Zoning Code.

Commissioner Howard moved for approval of the petition. The motion was seconded by Commissioner Phillips and, upon being put to a vote, the vote was as follows:

Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Carol Roberts	--	Absent
Ron Howard	--	Aye
Carole Phillips	--	Aye

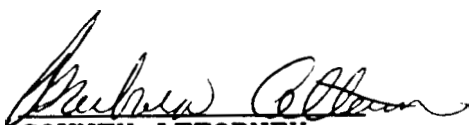
The foregoing resolution was declared duly passed and adopted this 27th day of June, 1989 confirming action of January 27, 1989.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE CLERK

BY :


COUNTY ATTORNEY

BY :


DEPUTY CLERK