

RESOLUTION NO. R-90-1171

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. CR 89-33/7.2
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. 89-2227
WHICH APPROVED THE SPECIAL EXCEPTION OF MICHAEL BENDE
PETITION NO. 89-33

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 402.6 of the Palm Beach County Zoning Code have been satisfied; and

WHEREAS, pursuant to Section 402.6, Status Report CR 89-33/7.2 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at a public hearing conducted on January 2, 1991; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, has reviewed Status Report CR 89-33/7.2 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, Section 402.6 of the Palm Beach County Zoning Code authorizes the Board of County Commissioners, sitting as the Zoning Authority, to add or modify conditions of approval; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, 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 402.5 of the Zoning Code requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, 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 89-33/7.2, amending Conditions of Approval of Resolution No. 89-2227, the Special Exception of Michael Bende, Petition No. 89-33, on a parcel of land lying on Tract 1, less the South 393.66 feet thereof, Section 20, Township 46 South, Range 42 East, Palm Beach Farms Company Plat No. 1, Plat Book 2, Pages 26 through 28 inclusive, being located on the south side of Delray West Road (SR 806), approximately .75 mile east of Florida's Turnpike (Sunshine State Parkway) in a CS-Specialized Commercial Zoning District, is approved, as amended, subject to the following conditions:

1. The property owner shall comply with all previous conditions of approval unless expressly modified herein.

2. Prior to the issuance of the first building permit, the property owner shall comply with the requirements of the 1990 Palm Beach County Landscape Code to the maximum extent possible.

Commissioner Roberts moved for approval of the Resolution.

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

KAREN T. MARCUS, CHAIR	--	Aye
CAROL J. ELMQUIST	--	Aye
CAROL ROBERTS	--	Aye
CAROLE PHILLIPS	--	Aye
MARY MCCARTY	--	Aye
KEN FOSTER	--	Aye
MAUDE FORD LEE	--	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 3rd day of September, 1991.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: *Barbara Alter*

(6-29-89)

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Judith Cashner*

