

RESOLUTION NO. R-91 - 1554

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. CR 89-33/7.3  
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-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 89-33/7.3 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at a public hearing conducted on August 29, 1991; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, has reviewed Status Report CR 89-33/7.3 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 89-33/7.3, amending Conditions of Approval of Resolution No. R-2227, the Special Exception of Michael Bende, Petition No. 89-33, 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 0.75 of a mile East of Florida's Turnpike (Sunshine State Parkway) in a CG-General Commercial Zoning District, is approved, subject to the following conditions:

1. The petitioner shall comply with all previous conditions of approval unless expressly modified herein.
2. Building permits for no more than seventy-five percent of the project shall be issued until Atlantic Avenue (Carter Road to Military Trail) is under construction. Seventy-

five percent shall mean that amount of construction, as verified by the Traffic Division, which will generate no more than 1,027 trips per day.

Commissioner Roberts 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:

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 5th day of November, 1991.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY:



PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

