

ORIGINAL

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. CR-S85-169/2
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-91-1817
WHICH APPROVED THE MODIFICATION OF CONDITIONS OF APPROVAL OF
THE BOARD OF COUNTY COMMISSIONERS
STATUS REPORT NO. SR 85-169.3

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-S85-169/2 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at a public hearing conducted on April 23, 1992; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, has reviewed Status Report CR-S85-169/2 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-S85-169/2, amending Conditions of Approval of Resolution No. R-91-1817, the Special Exception of the Board of County Commissioners, Status Report No. SR 85-169.3, which amended Conditions of Approval of Resolution No. R-86-489, the Special Exception of Paul S. Gravenhurst and Maurice Fox on a parcel of land situated in Section 26, Township 46 South, Range 42 East, being more particularly described as follows: The East 1/2 of the Northwest 1/4 of the Northeast 1/4 of the Northwest 1/4 of said Section 26, together with: The West 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of said Section 26., being located on the south side of Linton Boulevard, approximately 0.6 of a mile west of Military Trail in a AR-Agricultural Residential District Zoning District, is approved, as amended, subject to the following conditions:

1. The petitioner shall comply with all previous conditions

of approval unless expressly modified herein.

2. Condition number 2 of Resolution R-91-1817 which states:

Prior to January 1, 1992, the property owner shall dedicate:

- A. to Palm Beach County 120 feet of right-of-way for Linton Boulevard;
- B. an additional 100 feet of right-of-way for the Lake Worth Drainage District (LWDD) canal for a total width of 220 feet. The LWDD 100 foot right-of-way may be in the form of an easement of deed acceptable to the District.

is hereby amended to state:

Prior to May 15, 1992, the property owner shall accept Palm Beach County's offer for that portion of the subject property which is required for the widening of Linton Boulevard in the amount of \$19,000.00 for Parcel 109 and \$74,700.00 for Parcel 209, a total of \$93,800.00. This value represents the appraised value of the property without a special exception for an A.C.L.F. Should this property owner or a subsequent property owner develop the parcel pursuant to this approval or any amendment thereof, then prior to the issuance of a building permit, the property owner shall reimburse Palm Beach County the sum of \$93,800.00 plus interest at the rate of six (6) percent per year. Date of interest shall run from the date of payment by Palm Beach County to the property owner to the date of payment by the property owner to Palm Beach County.

Commissioner Roberts moved for approval of the Resolution.

The motion was seconded by Commissioner McCarty 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	--	ABSENT
MAUDE FORD LEE	--	AYE

The Chair thereupon declared the resolution was duly passed and adopted this 23rd day of June, 1992.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

BY: *[Signature]*

MILTON T. BAUER, CLERK BY: *[Signature]*

