

RESOLUTION NO. R-2000- 1228

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. SR 92-7.3  
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-93-5 16  
WHICH APPROVED THE SPECIAL EXCEPTION OF  
SHIRLEY K. BERNSTEIN AND ANN K. SCHULMAN  
PETITION NO. 92-7

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 92-7.3 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on August 24, 2000; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 92-7.3 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, Section 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. Condition number Q. 1. of Resolution R-93-5 16 limits the number of signs adjacent to Military Trail to one.
3. The Unified Land Development Code limits the number of signs to one.
4. The certified site plan provides for three signs on Military Trail.
5. The amendment of conditions of approval is necessary to ensure that the site plan is consistent with the Unified Land Development Code and condition number Q.1.

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 92-7.3, to approve a development order amendment to amend conditions of approval of Resolution No. R-93-516, the Special Exception of Shirley K. Bernstein and Ann K. Schulman, **Petition No. 92-7**, which approved a Planned General Commercial Development, including a fast food restaurant with drive-thru window, auto service station (automatic) and financial institution with 3 drive-up tellers in the Southwest 1/4 of the Southwest 1/4 of the Southeast 1/4 of Section 1, Township 45 South, Range 42 East, less the Right-of-Way of Military Trail and less the **Right-of-**

Way of Hypoluxo Road, being located on the northeast corner of the intersection of Hypoluxo Road and Military Trail in the CC-Community Commercial Zoning District, is approved, subject to the following conditions:

1. All previously approved conditions of approval of Resolution R-93-5 16 continue to apply unless expressly amended herein.
2. Prior to the issuance of a building permit, a new site plan shall be certified which meets the one sign requirement of condition number Q. 1. of Resolution R-93-5 16 (for Military Trail).  
**(BLDG PERMIT: MONITORING - Zoning)**

Commissioner Roberts moved for approval of the Resolution.

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

MAUDE FORD LEE, CHAIR	—	Aye
WARREN H. NEWELL, VICE CHAIR	—	Aye
BURT AARONSON	—	Aye
KAREN T. MARCUS	—	Aye
TONY MASILOTTI	—	Aye
MARY MCCARTY	—	Aye
CAROL ROBERTS	—	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 24 day of August, 2000.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

BY: *Balwan Alter*  
COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK  
BY: *Joan Hawes*  
DEPUTY CLERK

