

RESOLUTION NO. R-2000- 17 11

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 95-3 1.4
TO AMEND VOLUNTARY COMMITMENTS OF RESOLUTION NO. R-95-1 115
WHICH APPROVED THE SPECIAL EXCEPTION OF
JOHNSON BROTHERS CONSOLIDATED WASTE, INC.
PETITION NO. 95-3 1

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 95-3 1.4 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on October 26, 2000; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 95-3 1.4 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 project can only meet the Countywide Traffic Performance Standards with the amendment of voluntary commitments as provided in Resolution R-95- 1115.
2. The amendment of voluntary commitments is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.
3. Status Report SR 95-31 prepared in 1998 stated that the Engineering Department recommended approval of no more than a one-year time extension based on current traffic conditions.
4. The Board of County Commissioners approved a one-year time extension, but development did not commence during the one-year time extension period.
5. Status Report SR 95-31.3 prepared in 1999 stated that the project met the Countywide Traffic Performance Standards by qualifying for a “small project exception” to State Road 80 analysis (less than 100 net trips per day and **buildout** of one year or less).
6. The Traffic Division recommended approval of no more than a one-year time extension based on the “small project exception”.

7. The Board of County Commissioners approved a one-year time extension.
8. The project was not built out in the required one year or less.

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 95-3 1.4, to amend Voluntary Commitments contained in Resolution No. R-95-1 115, the official zoning map amendment requested by Johnson Brothers Consolidated Waste, Inc., Petition No. 95-31, a rezoning to the Light Industrial (IL) zoning district, on property legally described in Exhibit A, attached hereto and made a part hereof, being located on the west side of Tall Pines Road, approx. 0.1 mile north of Southern Boulevard, is approved as amended, subject to the following voluntary commitments:

1. All previously approved voluntary commitments continue to apply unless expressly modified herein. (ONGOING)
2. Prior to the issuance of the first building permit, one of the following shall occur:
 - a. The contract shall be let for the construction of State Road 80 from west of the turnpike to west of Haverhill Road; or
 - b. The property owner shall contribute monies as defined in the inter-office memo from the County Engineer to the Board of County Commissioners dated January 25, 2000 toward construction of the State Road 80/ Jog Road intersection based on a pro-rata share of impact. (BUILDING PERMIT: MONITORING - Eng)

Commissioner Masiotti moved for approval of the Resolution.

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

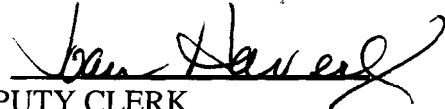
MAUDE FORD LEE, CHAIR	—	Absent
WARREN H. NEWELL, VICE CHAIR	—	Aye
BURT AARONSON	—	Aye
KAREN T. MARCUS	—	Absent
TONY MASIOTTI	—	Aye
MARY MCCARTY	—	Aye
CAROL ROBERTS	—	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 26 day of October, 2000.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 
COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK
BY: 
DEPUTY CLERK

Status Report SR 95-31.4
Project Number 1000-086

