

RESOLUTION NO. R-2000- 1949

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. SR 95-64.2  
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-96-1967  
WHICH APPROVED A DEVELOPMENT ORDER AMENDMENT  
PETITION OF EASTRICH PROPERTIES NO. 1 LIMITED PARTNERSHIP  
PETITION NO. 95-64B

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 95-64.2 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on November 30, 2000; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 95-64.2 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 conditions of approval
2. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.
3. The property owner was notified in May 2000 that the project did not meet the Countywide Traffic Performance Standards.
4. The property owner has had three years and ten months since the project was approved, but has not yet recorded a plat.

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 95-64.2, to amend Conditions of Approval of Resolution No. R-96-1967 (Petition No. 95-64B, the petition of J.D. Eastrich Properties No. 1 Limited Partnership), which approved a Development Order Amendment on Parcel A: All of Lot C and the North 19 feet of Lot D, Tract 64, Palm Beach Farms Company Plat No. 7, Section 30, Township 44 South, Range 43 East, according to the Plat thereof, as recorded in Plat Book 5, Page 72, Public Records of Palm Beach County, Florida

Parcel B: Lot E, Block 33, Lot E, Block 34, Lots A, B, and C, Block 63, Lots A and B, Block 64, Lots A, B, C, D, and E, Block 61, Lots A, B, C, D and E, Block 62, Palm Beach Farms Company Plat No. 7, Section 30, Township 44 South, Range 43 East, according to the Plat thereof, as recorded in Plat Book 5, Page 72, Public Records of Palm Beach County, Florida.

LESS the following:

A certain parcel of land in Section 30, Township 44 South, Range 43 East, Palm Beach County Florida, being more particularly described as follows:

The East 10.00 feet of Lot E, Block 33, the East 10.00 feet of Lots A, B, C and the East 10.00 feet of the North 19 feet of Lot D, Block 64, of the Palm Beach Farms Company Plat No. 7, according to the Plat thereof, as recorded in Plat Book 5, Page 72, Public Records of Palm Beach County, Florida, being located on the the west side of Congress Ave., approx. 350 ft. north of 6th Ave. South, is approved, subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein.
2. Prior to the issuance of a building permit, the contract shall be let for the 6-lane widening of Congress Avenue (Lake Worth Road to Melaleuca Lane). (BLDG PERMIT: MONITORING - Eng)

Commissioner Marcus moved for approval of the Resolution.

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

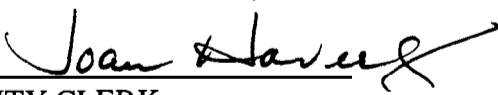
WARREN H. NEWELL, CHAIRMAN	—	Aye
CAROL A. ROBERTS, VICE CHAIR	—	Absent
BURT AARONSON	—	Aye
ADDIE GREENE	—	Aye
KAREN T. MARCUS	—	Aye
TONY MASILOTTI	—	Aye
MARY MCCARTY	—	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 30 day of November, 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

