

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. SR 1996-113A  
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-97-252  
WHICH APPROVED THE REZONING OF  
DANIEL CATALFUMO  
PETITION NO. 1996-113A

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 1996-113A was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on September 26, 2002; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 1996-113A 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 is not consistent with the Unified Land Development Code because it does not meet the Countywide Traffic Performance Standards.
2. With the amendment of conditions of approval, the project will meet the Countywide Traffic Performance Standards and therefore be consistent with the Unified Land Development Code.
3. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.

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 1996-113A, to amend Conditions of Approval of Resolution No. R-97-252, the rezoning of Daniel Catalfumo, Petition No. 1996-113A, which rezoned property to the Multiple Use Planned Development Zoning District, legally described as Lots 1 and 2 of Forty Five Thirty One Congress Avenue M.U.P.D. as recorded in Plat Book 80, pages 43 and 44, public records of Palm Beach County, Florida, containing 4.517 acres, more or less, being located on the northwest corner of Melaleuca Lane and Congress Avenue, is approved, subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)

2. No building permits shall be issued until the contract is awarded for construction of Congress Avenue from Lake Worth Road to Melaleuca Lane to a six-lane cross section. (BLDG PERMIT: MONITORING - Eng)

Commissioner Roberts moved for approval of the Resolution.

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

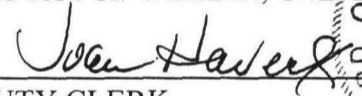
WARREN H. NEWELL, CHAIRMAN	—	Aye
CAROL A. ROBERTS, VICE CHAIR	—	Aye
BURT AARONSON	—	Absent
ADDIE L. GREENE	—	Absent
KAREN T. MARCUS	—	Absent
TONY MASILOTTI	—	Aye
MARY MCCARTY	—	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 26 day of September, 2002.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY:   
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

DOROTHY H. WILKEN, CLERK  
BY:   
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 29 day of October, 2002.