

RESOLUTION NO. R-95-277

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. CR 89-47/9b
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-89-1642
WHICH APPROVED THE SPECIAL EXCEPTION OF
BILL R. WINCHESTER AND ERNEST KLATT
PETITION NO. 89-47

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 CR 89-47/9b **was** presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on February 23, 1995; and

WHEREAS, the Board of County Commissioners has reviewed Status Report CR 89-47/9b and considered testimony, 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. This proposal **is** consistent with the requirements of the Comprehensive Plan and local land development regulations: and
2. The Traffic Division recommends approval of the amendment.

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. CR 89-47/9b, to amend Conditions **of** Approval of Resolution No. R-89-1642, the Special Exception of Bill R. Winchester and Ernest Klatt, Petition **No.** 89-47, which granted a Special Exception to allow a Planned Residential Development (PRD) on a parcel of land lying in Section 1, Township 45 South, Range 42 East, being that part of the following described tracts lying North of the North right-of-way line of Lake Worth Drainage District Lateral Canal No. 17; Parcel A: The North 1/2 **of** the Northwest 1/4 **of** the Northwest 1/4 **of** the Southeast 1/4 less 50.00 feet county road right-of-way: South 1/2 **of** the Southwest 1/4 **of** the Southwest 1/4 **of** the Northeast 1/4, less county road right-of-way; all in Section 1, Township 45 South, Range 42 East; Parcel B: **The** Southwest 1/4 **of** the Northeast 1/4 **of** Section 1, Township 45 South, Range 42 East; less however, the North 132.00 feet thereof, the **south** 1/2 **of** the Southwest 1/4 **of** the Southwest 1/4 **of** the Northeast 1/4 **of** said Section 1, and the right-of-way for Military Trail (SR 809), subject to easement in favor **of** Florida Power and Light **Company**, Official Record Book

1765, Page 782., being located on the east side of Military Trail, approximately 0.2 of a mile north of 67th Place South and bounded on the east by south Guava Lane and the south by Lake Worth Drainage District Lateral Canal No. 17 in the RM-Multiple Family Residential Zoning District (Medium Density), is approved, subject to the following conditions:

1. The petitioner shall comply with all previous conditions of approval unless expressly modified herein.
2. Condition number 9b of Resolution R-89-1642 which currently states:

No further building permits may be issued for the subject site after December 31, 1992.

Is hereby amended to state:

No further building permits may be issued for the subject site after September 12, 1996.

Commissioner Roberts 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:

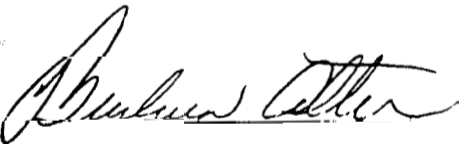
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|-------------------|--------|
| KEN FOSTER, CHAIR | |
| BURT AARONSON | Aye |
| MAUDE FORD LEE | Aye |
| KAREN T. MARCUS | Aye |
| MARY MCCARTY | Absent |
| WARREN H. NEWELL | |
| CAROL ROBERTS | Aye |

The Chair thereupon declared the resolution was duly passed and adopted this 23rd day of February, 1995.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

BY:



DOROTHY H. WILKEN, CLERK

BY: Lina M. Blum
DEPUTY CLERK

