

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO SR 92-17
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO R-95-1015
WHICH APPROVED THE SPECIAL EXCEPTION OF
PASSAGE LAND PARTNERSHIP
PETITION NO 92-17

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 92-17 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on March 28 1996 and

WHEREAS the Board of County Commissioners has reviewed Status Report SR 92-17 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 consistent with the land use designation of the Palm Beach County Comprehensive Plan
- 2 The amendment to conditions of approval is consistent with the requirements of the Palm Beach County Unified Land Development Code
- 3 Median landscaping cannot be installed until the roads which will contain the medians are constructed
- 4 The contract for Indiantown Road has not yet been let
- 5 The requirement to post surety will ensure that the financial resources will be available to install the landscaping after the road is completed

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 92-17 to amend Conditions of Approval of Resolution No R-95-1015, the Amendment of Conditions of Approval of the Special Exception of Passage Land Partnership Petition No 92-17, which granted a Special Exception to allow a Planned General Commercial Development (PGCD) and a Planned Office Business Park (POBP) being located on the southwest

Commissioner Roberts moved for approval of the Resolution

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

KEN FOSTER, CHAIR	—	ABSENT
BURT AARONSON	—	AYE
MAUDE FORD LEE	—	AYE
KAREN T MARCUS	—	ABSENT
MARY MCCARTY	—	AYE
WARREN H NEWELL	—	AYE
CAROL ROBERTS	—	AYE

The Chair thereupon declared the resolution was duly passed and adopted this 28 day of March 1996

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

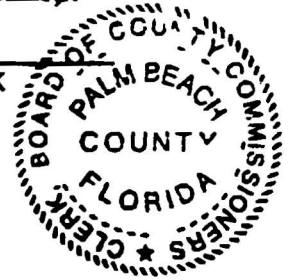
BY

Barbara Alter

DOROTHY H WILKEN CLERK

BY

Joan Hawley
DEPUTY CLERK



corner of the intersection of Indiantown Road and Jupiter Farms Road in the CC-Community Commercial Zoning District and LO-Limited Office Zoning District is approved subject to the following conditions

- 1 All previously approved conditions of approval continue to apply unless expressly modified herein
- 2 Condition number N 1 of Resolution R-95-1015 which currently states

Prior to site plan certification, the petitioner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to landscape all adjacent median(s) of all abutting rights-of-way. When permitted by Palm Beach County Department of Engineering And Public Works landscaping shall consist of a minimum of one (1) fourteen (14) foot tall native tree for each thirty (3) linear feet of the adjacent median to be planted and appropriate ground cover. Trees may be planted singly or in clusters. All landscaping and maintenance shall be subject to the standards as set forth by the Palm Beach County Engineering and Public Works Department. All landscaping material shall be selected from the following list

<u>Trees</u>	<u>Groundcover</u>
Laurel Oak	Wedilia
Live Oak	Bahia Grass
Slash Pine	
Sabal Pine	

Alternative species may be allowed subject to approval by the County Engineer. All plant material shall be installed and selected according to xeriscape principles and shall conform with the following

- a All plants shall be container grown or field collected and transplanted from the project site.
- b All plantings shall be done in accordance with detailed planting plans and specifications to be submitted and approved by the County Engineer concurrent with Site Plan certification

All required median landscaping including watering shall be the perpetual maintenance obligation of the petitioner and its successors legal heirs or assignees or duly established Property Owner's Association and/or Homeowner's Association, and shall be installed on or before first Certificate of Occupancy or filing of the first plat whichever occurs first. Declaration of Covenants and Restriction Documents shall be established or amended as required prior to receiving the first building permit or first plat whichever occurs first to reflect this obligation. Maintenance shall be in accordance with the issued permits (ENGINEERING/BUILDING)

Is hereby amended to state

- a On or before July 1 1996 the developer shall apply to the Palm Beach County Engineering and Public Works Department for a permit to landscape all adjacent median(s) of all abutting rights-of-way When permitted by Palm Beach County Department of Engineering And Public Works, landscaping shall consist of a minimum of one (1) fourteen (14) foot tall native tree for each thirty (30) linear feet of the adjacent median to be planted and appropriate ground cover Trees may be planted singly or in clusters All landscaping and maintenance shall be subject to the standards as set forth by the Palm Beach County Engineering and Public Works Department All landscaping material shall be selected from the following list

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Alternative species may be allowed subject to approval by the County Engineer All plant material shall be installed and selected according to xeriscape principles and shall conform with the following

- 1) All plants shall be container grown or field collected and transplanted from the project site
 - 2) All plantings shall be done in accordance with detailed planting plans and specifications to be submitted and approved by the County Engineer concurrent with Site Plan certification (MONITORING - Eng)
- b All required median landscaping including watering shall be the perpetual maintenance obligation of the petitioner and its successors legal heirs or assignees or duly established Property Owner's Association and/or Homeowner's Association, and shall be installed on or before December 1 1997 (DATE MONITORING - Eng)
- c Declaration of Covenants and Restriction Documents shall be established or amended as required on or before July 1, 1996 to reflect this obligation Maintenance shall be in accordance with the issued permits (DATE MONITORING - Eng)
- d Prior to the issuance of the next building permit the developer shall post surety in the amount of thirty thousand (30,000) dollars in a form acceptable to the County Engineer to provide for design and installation of the required landscaping, and irrigation if required (DATE MONITORING - Eng)