

RESOLUTION NO .R-97-1295

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. SR 89-97.5  
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-90-363  
WHICH APPROVED THE SPECIAL EXCEPTION OF  
**W.G. LASSITER, JR.**  
PETITION NO. 89-97

**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 89-97.5 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on September 25, 1997; and

**WHEREAS**, the Board of County Commissioners has reviewed Status Report SR 89-97.5 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 amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.
2. The project can only meet the Countywide Traffic Performance Standards by phasing to the construction of Melaleuca Lane.

**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 89-97.5, to amend Conditions of Approval of Resolution No. R-90-363, the Special Exception of W.G. Lassiter, Jr., Petition No. 89-97, which granted a Special Exception to permit a Planned Commercial Development on land known as Parcel I; The South 120.28 feet of the North 340.56 feet of the East 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 25, Township 44 South, Range 42 East, Palm Beach County, Florida, less the East 40.00 feet thereof; and, Parcel II; The South 120.28 feet of the North 460.84 feet of the East 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 25, Township 44 South, Range 42 East, Palm Beach County, Florida, less the East 40.00 feet thereof; and Parcel III; The South 145.42 feet of the North 606.26 feet of the East 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 25, Township 44 South, Range 42 East, Palm Beach County, Florida, less the East 40.00 feet thereof, being located on the west side of Military Trail (S.R. #809), approximately 0.04 of a mile south of the intersection of Military Trail (S.R. #809) and Melaleuca Lane in the CG-General Commercial Zoning District, is approved, subject to the following conditions:

1. All previously approved conditions of approval contained in Resolution R-90-363 continue to apply unless expressly modified herein. (ONGOING)
2. **Prior to the issuance of the first building permit, construction of Melaleuca Lane (Military Trail to Haverhill road) to a five lane cross section shall commence. (BLDG PERMIT: MONITORING-Eng)**

Commissioner **Marcus** moved for approval of the Resolution.

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

BURT AARONSON, CHAIRMAN	—	Aye
MAUDE FORD LEE, VICE CHAIR	—	Absent
<b>KEN FOSTER</b>	—	Aye
KAREN T. MARCUS	—	Aye
MARY MCCARTY	—	Absent
<b>WARREN H. NEWELL</b>	—	Aye
CAROL ROBERTS	—	Aye


The Chair thereupon declared the resolution was duly passed and adopted this 25 day of September, \_\_\_\_\_, 1997.

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

