

RESOLUTION NO. R- 98-300

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 84-160.7
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-85-293
WHICH APPROVED THE SPECIAL EXCEPTION OF
FOREST HILL VENTURES
PETITION NO. 84-160

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 84-160.7 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on January 29, 1998; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 84-160.7 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. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations; and
2. The conditions listed below require this petition to develop more in conformity with current 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 84-160.7, to amend Conditions of Approval of Resolution No. R-85-293, the Special Exception of Forest Hill Ventures, Petition No. 84-160, which granted a Special Exception to allow a Planned Unit Development (Summit Pines), on the Northeast 1/4, of Section 11, Township 44 South, Range 42 East, Less the Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of said Section 11, being located on the south side of Summit Boulevard and on the west side of Haverhill Road, approximately 0.5 of a mile west of Military Trail (S.R. #809) in the RS-Single Family Residential Zoning District, is approved, subject to the following conditions:

1. All previous conditions of approval continue to apply unless expressly modified herein.

Order **Amendment** or other **actions** based **on a** Board of County Commission decision shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit.
(MONITORING)

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

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

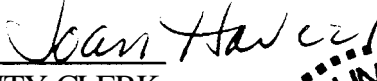
BURT AARONSON, CHAIRMAN	---	Aye
MAUDE FORD LEE, VICE CHAIR	---	Aye
KEN FOSTER	---	Absent
KAREN T. MARCUS	---	Absent
MARY MCCARTY	---	Aye
WARREN H. NEWELL	---	Aye
CAROL ROBERTS	---	Aye

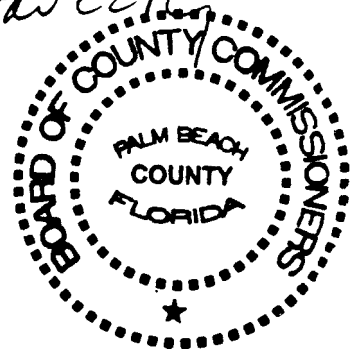
The Chair thereupon declared the resolution was duly passed and adopted this 26 day of February,
 , 1998.

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



2. A plat for the parcel identified by property control number 00-42-44-11-00-000-1050 (recreational parcel) shall be recorded as follows:
 - a. Prior to May 1, 1998, a complete application for a plat shall be submitted to the Palm Beach County Engineering and Public Works Department.
 - b. Prior to October 1, 1998, a plat shall be recorded.

No residential plat which received technical compliance from the Land Development Division by January 29, 1998, based on the requirements of the Palm Beach County Unified Land Development Code (ULDC), shall be denied any development/building permits for failure to comply with this condition. If either of these deadlines is not met, all property contained within the property currently identified as Pod CA-5 on the master plan (property on the south side of Summit Pines Boulevard which is currently part of the property identified by control number 00-42-44-11-00-000-1030) shall be subject to the requirements of Section 5.8 of the ULDC, including the prohibition of issuance of any new development orders. No administrative time extension shall be approved for any part of this condition. (DATE: MONITORING - Eng)

3. Failure to comply with any of the conditions of approval for the subject property at any time may result in:
 - a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy; the denial of any other permit, license or approval to any developer, owner, lessee, or user of the subject property; the revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; and/or
 - b. The revocation of the official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
 - c. A requirement of the development to conform with the standards of the ULDC at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions; and/or
 - d. Referral to code enforcement; and/or
 - e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or a majority vote of the Code Enforcement Board to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 5.8 of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval.

Appeals of any departmental administrative actions hereunder may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Unified Land Development Code (ULDC), as amended. Appeals of any revocation of an Official Zoning Map Amendment, Conditional Use, Requested Use, Development