

RESOLUTION NO. R-2007- 0086

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. CR 2005-129  
TO APPROVE A DEVELOPMENT ORDER AMENDMENT  
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-2006-0521  
WHICH APPROVED THE ZONING MAP AMENDMENT OF  
FIVE PARTNERS, LTD.  
CONTROL NO. 2005-129 (Z2005-1136)

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 Article 2.E. of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, pursuant to Article 2.E., Status Report CR 2005-129 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on January 25, 2007; and

WHEREAS, the Board of County Commissioners has reviewed Status Report CR 2005-129 and considered testimony, and the recommendations of the various county review agencies; and

WHEREAS, Article 2.E. 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 meets the Countywide Traffic Performance Standards with the amendment of conditions of approval.
2. The amendment of conditions of approval will ensure that existing conditions can be monitored and enforced by staff.
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. CR 2005-129, to amend Conditions of Approval of Resolution No. R-2006-0521, which approved the application of Five Partners, Ltd., Control No. 2005-129 (Z2005-1136), to rezone to the Light Industrial zoning district with a Conditional Overlay Zone, LOTS 72, 73, 74, and 75, INCLUSIVE, **JEROME ACRES**, AN UNRECORDED SUBDIVISION OF TRACTS 44 AND 45, BLOCK 5, PALM BEACH COUNTRY FARMS COMPANY PLAT No. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 TO 54 INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 292.00 FEET OF THE WEST 584 FEET OF THE SOUTH 1/2 OF THE SOUTH

½ OF SAID TRACT 45, **LESS** THE NORTH 25 FEET FOR ROAD RIGHT-OF-WAY CONVEYED TO THE COUNTY OF PALM BEACH IN OFFICIAL RECORD BOOK 2335, PAGE 1303, being located on the southwest corner of Bischoff Road and Jog Road, is approved, subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)
2. HEALTH Condition No. 1 which currently states:

Prior to the issuance of a certificate of occupancy, the property owner shall provide verification to the Palm Beach County Health Department that the site is connected to public water and sanitary sewer services, and that all onsite sewage treatment and disposal systems and potable water wells have been properly abandoned. (CO: MONITORING - Health)

Is hereby amended to state:

Within 90 days of approval by the Development Review Officer, the property owner shall provide verification to the Palm Beach County Health Department that the site is connected to public water and sanitary sewer services, and that all onsite sewage treatment and disposal systems and potable water wells have been properly abandoned. (This condition shall be amended to reflect actual due date and added to site plan prior to approval) (DRO: ZONING - Health)

3. ZONING - LANDSCAPING - STANDARD Condition No. 1 which currently states:

Prior to the issuance of a building permit, the property owner shall submit a Landscape Plan to the Landscape Section for review and approval. The Plan(s) shall be prepared in compliance with the ULDC and all conditions of approval as contained herein. (BLDG PERMIT: LANDSCAPE - Zoning)

Is hereby amended to state:

Within 30 days of approval of the site plan by the Development Review Officer, the property owner shall submit a Landscape Plan to the Landscape Section for review and approval. The Plan(s) shall be prepared in compliance with the ULDC and all conditions of approval as contained herein. (This condition shall be amended to reflect actual due date and added to site plan prior to approval.) (DRO: ZONING)

4. ZONING - LANDSCAPING - STANDARD

All landscaping required by ZONING - LANDSCAPING - STANDARD conditions 2-4 shall be installed within 120 days of Development Review Officer approval of the site plan. (This condition shall be amended to reflect actual due date and added to site plan prior to certification.) (DRO: ZONING)

5. ZONING - LANDSCAPING - NORTH, EAST AND WEST PROPERTY LINES (ABUTTING BISCHOFF ROAD, JOG ROAD AND RESIDENTIAL PROPERTY)

All landscaping required by ZONING - LANDSCAPING - NORTH, EAST AND WEST PROPERTY LINES (ABUTTING BISCHOFF ROAD, JOG ROAD AND RESIDENTIAL PROPERTY) condition 1 shall be installed 120 days of Development Review Officer approval of the site plan. (This condition shall be amended to reflect actual due date and added to site plan prior to certification.) (DRO: ZONING)

6. The project can meet the mandatory Traffic Performance Standards until December 31, 2007.

Therefore, all site improvements shall be made no later than that date. (DATE: MONITORING - Eng)

Commissioner Marcus moved for approval of the Resolution.

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

ADDIE L. GREENE, CHAIRPERSON	—	Aye
JOHN F. KOONS, VICE CHAIR	—	Aye
KAREN T. MARCUS	—	Aye
WARREN H. NEWELL	—	Aye
MARY MCCARTY	—	Aye
BURT AARONSON	—	Aye
JESS R. SANTAMARIA	—	Aye
	—	

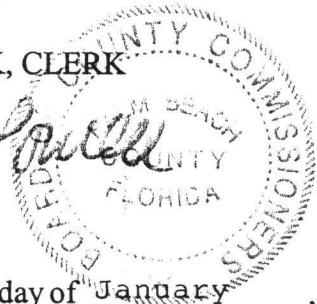
The Chair thereupon declared the resolution was duly passed and adopted this 25<sup>th</sup> day of January, 2007.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

BY: [Signature]  
COUNTY ATTORNEY

SHARON R. BOCK, CLERK  
BY: [Signature]  
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 25<sup>th</sup> day of January, 2007.