

PALM BEACH COUNTY

STATUS REPORT CR 90-41.2
(For Zoning Petition 90-41)

Staff Recommendation

Staff recommends the approval of a twelve month time extension from August 1 1992 to August 1 1993 for compliance with condition number E2 This recommendation is based on the following

- 1 The current approval is consistent with the Comprehensive Plan
- 2 The approval meets the Countywide Traffic Performance Standard
- 3 The Palm Beach County Engineering Department has no objections to the approval of an extension

Development Approval and Condition(s) Being Reviewed. Zoning Petition 90-41 was approved by the adoption of Resolution R-91-990 on July 23 1991 The resolution approved a Special Exception to for a Day Care Center (maximum 85 children) in a RS-Single Family Residential zoning district The zoning action is now being reviewed pursuant to Unified Land Development Code Section 5 8 Compliance with Time Limitations " because Condition Number E2 has not been fulfilled This condition states

Prior to August 1 1991 or prior to the issuance of the first building permit whichever shall first occur the property owner shall convey to Palm Beach County Roadway Division by road right-of-way warranty deed for Hypoluxo Road 55 feet from centerline free of all encumbrances and encroachments Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments Right-of-way conveyances shall also include "Safe Sight Corners" where appropriate at intersections as determined by the County Engineer

Property Description. The subject property is approximately 1.1 acres in size and is on the northwest corner of Venetian Road and Hypoluxo Road

Property Owner(s). Sarria Enterprises Inc

Required Action. Unified Land Development Code Section 5 8 requires that the Board of County Commissioners take one or more of the following actions grant a time extension of up to twelve months revoke the Special Exception and possibly rezone the property impose entitlement density/intensity add or modify conditions of approval permit the property owner(s) to initiate a petition to modify or add conditions or direct staff to cite the property owner for Code violation

REVIEW FACTORS

Consistency with Land Use Plan

The Land Use Plan category for the subject property is Medium Residential 5 The current approval is consistent with the Comprehensive Plan Institutional uses designed to serve residential areas such as day care centers are allowed in areas designated residential on the Future Land Use Map

Performance Standards

The current approval which would generate 200 trips per day meets the Countywide Traffic Performance Standard

Supplemental

The Board of County Commissioners previously approved a one year time extension for compliance with condition number E2. The Palm Beach County Engineering Department does not object to the approval of an additional twelve month time extension.

November 1992