

RESOLUTION NO. R-92- 1111

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 88-78
TO AMEND CONDITIONS OF APPROVAL OF
RESOLUTION NO. R-89-723
WHICH APPROVED THE SPECIAL EXCEPTION OF
CANDACE ROBERTSON, JOSEPH F. WEISS JR., AND GREGORY WEISS
PETITION NO. 88-78

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 402.9 of the Palm Beach County Zoning Code have been satisfied; and

WHEREAS, pursuant to Section 402.9, Status Report SR 88-78 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at a public hearing conducted on June 29, 1992; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, has reviewed Status Report SR 88-78 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, Section 402.9 of the Palm Beach County Zoning Code authorizes the Board of County Commissioners, sitting as the Zoning Authority, to add or modify conditions of approval; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, 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 new conditions listed below will correct a legal description in a previously approved condition of approval, and will cause development to be more in conformity with current standards of development.

WHEREAS, Section 402.5 of the Zoning Code requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, 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 88-78, amending Conditions of Approval of Resolution No. R-89-723, the Special Exception of Candace Robertson, Joseph F. Weiss Jr., and Gregory Weiss, Petition No. 88-78, which granted a Special Exception to permit a child day care center, on a parcel of land lying at the Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of the Southeast 1/4 of Section 35, Township 44 South, Range 42 East, being located on the northeast corner of intersection of Lantana Road West (S.R. #812) and Cadillac Drive, in a RT-Residential Transitional Zoning District, is approved, subject to the following conditions:

1. The petitioner shall comply with all previous conditions of approval unless expressly modified herein.

2. Condition number 15 of Resolution R-89-723 which currently states:

The petitioner shall convey to the Lake Worth Drainage District the east 28.42 feet of the west 70 feet of the southwest 1/4 of the southwest 1/4 of the southwest 1/4 of Section 35, Township 44 south, Range 42 East for the required right-of-way for Equalizing Canal No. 3, by Quit Claim Deed or an Easement Deed in the form provided by said District within ninety (90) days of the approval of the Resolution approving this project. Lake Worth Drainage District may at its option accept a right-of-way less than that described above subject to approval by the Lake worth Drainage District Governing Board.

is hereby amended to state:

Prior to November 15, 1992, the property owner shall convey to the Lake Worth Drainage District the east 28.42 feet of the west 70 feet of the southwest 1/4 of the southwest 1/4 of the southeast 1/4 of Section 35, Township 44 South, Range 42 East for the required right-of-way for Equalizing Canal No. 3, by Quit Claim Deed or an Easement Deed in the form provided by said District. Lake Worth Drainage District may at its option accept a right-of-way less than that described above subject to approval by the Lake Worth Drainage District Governing Board.

- 3 Prior to the issuance of a building permit, the property owner shall have a site plan certified which complies with the Landscape Code in effect at the time of certification.

commissioner Roberts moved for approval of the Resolution.

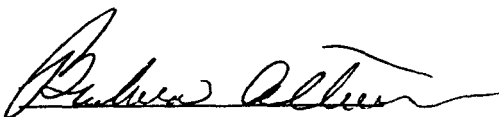
The motion was seconded by Commissioner Foster and, upon being put to a vote, the vote was as follows:

KAREN T. MARCUS, CHAIR	--	Aye
CAROL J. ELMQUIST	--	Aye
CAROL ROBERTS	--	Aye
CAROLE PHILLIPS	--	Aye
MARY MCCARTY	--	Absent
KEN FOSTER	--	Aye
MAUDE FORD LEE	--	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 18th day of August, 1992.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS:

BY: 

MILTON T. BAUER, CLERK

BY: 