

RESOLUTION NO. R-2001-2074

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 1983-120A.3
TO APPROVE A DEVELOPMENT ORDER AMENDMENT
FOR PROPERTY PREVIOUSLY GRANTED A CONDITIONAL USE "A" BY
RESOLUTION NO. R-94-1308
APPROVING THE PETITION OF RICHARD MERCEDE
PETITION NO. 83-120(A)

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; and

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 1983-120A.3 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on November 29, 2001; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 1983-120A.3 and considered testimony, 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 revoke Special Exceptions; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. A site plan for this property was certified prior to the adoption of Section 6.6.E. of the Palm Beach County Unified Land Development Code (ULDC), "Architectural Guidelines."
2. To ensure consistency with the ULDC, a new site plan must be certified.
3. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and the Unified Land Development Code.

WHEREAS, Section 5.3 of the 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 1983-120A.3, to approve a Development Order Amendment to amend Conditions of Approval of Resolution No. R-94-1308, the development order previously granted by the approval of the petition of Richard Mercede, Petition No. 83-120(A), confirmed by the adoption of Resolution R-94-1308, which approved a Development Order Amendment to increase square footage and a Class A Conditional Use allowing automotive paint and body shop and vehicle sales and rental, on Lot 5, in H.I.D. Plaza, as recorded in Plat Book 46, Page 5 & 6, said land lying in the Northeast ½ of Section 36, Township 47, Range 41., being located on the west side of S. R. 7, approximately 0.1 of a mile north of the Broward County line, in the CG-General Commercial Zoning District, is approved subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)
2. Prior to the issuance of a building permit, the property owner shall submit an application to the Development Review Committee for review and certification that the project is in compliance with Section 6.6.E. of the Palm Beach County Unified Land Development Code, "Architectural Guidelines." (BLDG PERMIT: MONITORING - Zoning)

Commissioner Masilotti moved for approval of the Resolution.

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

WARREN H. NEWELL, CHAIRMAN	—	Aye
CAROL A. ROBERTS, VICE CHAIR	—	Absent
BURT AARONSON	—	Aye
ADDIE L. GREENE	—	Aye
KAREN T. MARCUS	—	Aye
TONY MASILOTTI	—	Aye
MARY MCCARTY	—	Aye

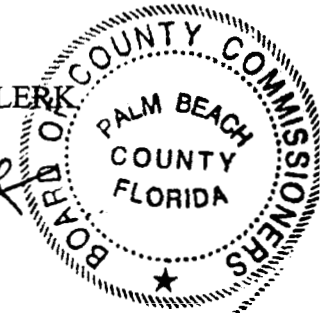
The Chair thereupon declared the resolution was duly passed and adopted this 29 day of November, 2001.

APPROVED AS TO **FORM**
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: Robert P. Burt
COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK
BY: Jean Skusek
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 29 day of November, 2001.