

RESOLUTION NO. R-93-1027

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. SR 78-2A.2  
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-90-810  
WHICH APPROVED THE SPECIAL EXCEPTION OF  
WILLIAM EMPKE III AND MARIE EMPKE  
PETITION NO. 78-2(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.

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 78-2A.2 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on August 30, 1993; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 78-2A.2 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 property owner is currently utilizing the special exception without complying with the certified site plan.

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 78-2A.2, to amend Conditions of Approval of Resolution No. R-90-810, the Special Exception of William Empke III and Marie Empke, Petition No. 78-2(A), confirmed by the adoption of Resolution R-90-810, which granted a Special Exception to amend and expand the site plan for a previously approved muffler shop to 1) increase land area, 2) increase building square footage, and 3) permit an auto service station (auto repair facility) on a parcel of land lying in Section 24, Township 44 South, Range 42 East, Lots 1, 2, 52 and 53, GRAMMES HOMESITES, according to the plat thereof, as recorded in Plat Book 21, page 91. LESS, the Westerly 3.0 feet of said Lots 1 and 2 for right-of-way for Military Trail, being located on the east side of Military Trail (S.R. #809), approximately 0.01 of a mile north of 10th Avenue North, in the CG-General Commercial 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. On or before December 15, 1993, a building permit shall

be issued for the balance of the project approved by Resolution R-90-810. No administrative time extension shall be approved for this condition.

Commissioner Aaronson 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:

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

The Chair thereupon declared the resolution was duly passed and adopted this 30th day of August, 1993.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY:



PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:



DEPUTY CLERK

