



RESOLUTION NO. R-96- 539

RESOLUTION REVOKING RESOLUTIONS R-74-422 AND 74-721
AFFIRMING THE ADMINISTRATIVE ABANDONMENT
OF ZONING PETITION 74-5

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, 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, Zoning Petition 74-5 was approved by the Board of County Commissioners of Palm Beach County at a public hearing conducted on May 23, 1974; and

WHEREAS, Resolution R-74-422 affirming the approval of this petition was adopted by the Board of County Commissioners on June 4, 1974; and

WHEREAS, Resolution R-74-721 approving a declaration of protective covenants, restrictions, reservations, servitudes and easements affecting this petition, in compliance with Condition 2 of Resolution R-74-422, was adopted by the Board of County Commissioners on September 3, 1974; and

WHEREAS, the Zoning Director has determined that the request to administratively abandon the development order, as provided for in Article 5 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20, as amended), meets the requirements contained therein; and

WHEREAS, the Zoning Director has administratively abandoned these development orders, as provided for in Article 5 (Development Review Procedures) of the Palm Beach County Land Development Code (Ordinance 92-20, as amended); and

WHEREAS, the Zoning Director presented the abandonment of these development orders to the Board of County Commissioners for ratification on April 25, 1996; and

WHEREAS, Article 5, Section 5.3.D.9 (Action by Board of County Commissioners) 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 Resolution R-74-422, approving Zoning Petition 74-5, the petition of Joseph F. Kern for a SPECIAL EXCEPTION TO ALLOW THE EXCAVATION AND REMOVAL OF EARTHY MATERIALS, and Resolution R-74-721, a RESOLUTION APPROVING DECLARATION OF PROTECTIVE COVENANTS, RESTRICTIONS, RESERVATIONS, SERVITUDES, AND EASEMENTS AFFECTING THE REAL PROPERTY OF JOSEPH F. KERN, are hereby revoked.

Commissioner Marcus moved for the approval of the Resolution.

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

Ken Foster, Chair	--	Absent
Burt Aaronson	--	Aye
Maude Ford Lee	--	Aye
Karen T. Marcus	--	Aye
Mary McCarty	--	Absent
Warren Newell	--	Aye
Carol A. Roberts	--	Absent

The Chair thereupon declared that this resolution was duly passed and adopted April 25, 1996.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: *Richard J. ...*
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS
DOROTHY H. WILKEN, CLERK
BY: *Joan Haverly*
DEPUTY CLERK

