

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 88-134.5
TO REVOKE THE SPECIAL EXCEPTION
FOR PROPERTY PREVIOUSLY GRANTED A SPECIAL EXCEPTION BY
RESOLUTION NO. R-90-1288
APPROVING THE PETITION OF
LARRY W. HODGES, KYLE FOREMAN,
WALTER LUZENKO, AND JAMES ALCIDE KING
PETITION NO. 88-134

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 88-134.5 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on September 25, 1997; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 88-134.5 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. The special exception is not consistent with the Palm Beach County Unified Land Development Code.
2. The revocation is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.
3. The property owner has not documented the expenditure of any money for normal predevelopment activities.

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 88-134.5, to revoke the Special Exception previously granted by the approval of the petition of Larry W. Hodges, Kyle Foreman, Walter Luzenko, and James Alcide King, Petition No. 88-134, confirmed by the adoption of Resolution R-90-1288, which granted a Special Exception for an auto service station (repair center), on a parcel of land lying in Section 34, Township 43 South, Range 42 East, being the West 30.00 feet of the East 130.00 feet of the South 132.00 feet of the West ½ of Tract 55, Block 5, Palm Beach Farms Company Plat No. 3, together with the East 100.00 feet of the South 132.00 feet of the West ½ of said Tract 55, Block 5, together with the East 130.00 feet of the North 132.00 feet of the South 264.00 feet of the West ½ of said Tract 55, Block 5, also described as the East 130.00 feet of the South 264.00 feet of the West ½ of said Tract 55, Block 5,

Plat **Book 2**, Page 45., being located on the south side of Westgate Avenue, approximately **0.1** of a mile west of Wabasso Drive, in the CG-General Commercial Zoning District, is approved.

Commissioner **Marcus** 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:

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

The Chair thereupon declared the resolution was duly passed and adopted this 25 day of September, 1997.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 
COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK

BY: 
DEPUTY CLERK

