

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 90-15.3
TO REVOKE A PART OF THE SPECIAL EXCEPTION
AND AMEND CONDITIONS OF APPROVAL
FOR PROPERTY PREVIOUSLY GRANTED A SPECIAL EXCEPTION BY
RESOLUTION NO. R-92-1840
APPROVING THE PETITION OF B.P. ~~OIL~~ COMPANY
PETITION NO. 90-15

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 90-15.3 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on January 7, 1999; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 90-15.3 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. The revocation is consistent with the Palm Beach County Comprehensive **Plan** and with the Unified Land Development Code.
2. A site plan for this property has been certified.
3. The certified site plan does not provide for a car wash as approved by Resolution R-92-1840.
4. The maximum number of square feet permitted by Resolution R-92-1840 has been utilized by the convenience store as shown on the certified site plan, Exhibit 29.
5. The property owner notified staff that he does not wish to retain the car wash as part of the special exception.

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 90-15.3, to revoke the automatic car wash from the Special Exception previously granted by the approval of the petition of B.P. Oil Company, Petition No. 90-15, confirmed by the **adoption** of Resolution R-92-1840, which approved a Special Exception for a Planned Commercial Development, including an auto service station and automatic car wash, being located on the

southeast corner of the intersection of Hypoluxo Road and High Ridge Road, in the CC-Community Commercial **Zoning** District, is approved, subject to the following conditions of approval:

1. All previously approved conditions of approval contained in Resolution R-92-1840 continue to apply unless expressly modified herein.
2. Condition number D.3. of Resolution R-92-1840 which currently states:

The proposed car wash shall have a 100% water recycling system. (ERM)

Is hereby deleted.

(Reason: car wash is being deleted from the Special Exception)

3. Condition number 0.7. of Resolution R-92-1840 which currently states:

The use of the site shall be limited to 1,562 total square feet of **an** auto service station (no repairs), a car wash and convenience store. (PLANNING/ZONING)

Is hereby amended to state:

The use of the site shall be limited to 1,562 total square feet of an auto service station (no repairs) and convenience store. (ONGOING: ZONING)

Commissioner **McCarty** moved for approval of the Resolution.

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

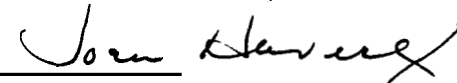
MAUDE FORD LEE, CHAIR	—	Absent
WARREN H. NEWELL, VICE CHAIR	—	Aye
BURT AARONSON	—	Aye
KAREN T. MARCUS	—	Absent
TONY MASILOTTI	—	Aye
MARY MCCARTY	—	Aye
CAROL ROBERTS	—	Aye

The Chair thereupon declared the resolution was duly passed and adopted this ____ day of _____, 1999.

**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

