

RESOLUTION NO. R-99- 324

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. SR 89-33.6  
TO REVOKE THE SPECIAL EXCEPTION  
FOR PROPERTY PREVIOUSLY GRANTED A SPECIAL EXCEPTION BY  
RESOLUTION NO. R-89-2227  
APPROVING THE PETITION OF MICHAEL BENDE  
PETITION NO. 89-33

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 89-33.6 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on February 25, 1999; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 89-33.6 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 new development order, Resolution R-97-965, has been approved for this property, but inadvertently did not revoke Resolution R-89-2227.

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 89-33.6, to revoke the Special Exception previously granted by the approval of the petition of Michael Bende, Petition No. 89-33, confirmed by the adoption of Resolution R-89-2227, which granted a Special Exception to permit a Planned Office Business Park, on Tract 1, less the South 393.66 feet thereof, Section 20, Township 46 South, Range 42 East, Palm Beach Farms Company Plat No. 1, Plat Book 2, Pages 26 through 28 inclusive, being located on the south side of

Delray West Road (SR 806), approximately 0.75 of a mile east of Florida's Turnpike (Sunshine State Parkway), in the CS-Specialized Commercial Zoning District, is approved.

Commissioner <sup>Aaronson</sup> 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	—	Absent
CAROL ROBERTS	—	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 25 day of February, 1999.

APPROVED AS TO **FORM**  
AND LEGAL SUFFICIENCY

BY:   
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:   
DEPUTY CLERK

