

RESOLUTION NO. R-2005- 0388

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. SR 1994-098.8  
TO APPROVE A ZONING MAP AMENDMENT  
FOR PROPERTY PREVIOUSLY REZONED BY  
RESOLUTION NO. R-95-1124  
PETITION NO. 1994-098  
THE PETITION OF FRANCALBY CORPORATION, INC.

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 Article 2.E. of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, pursuant to Article 2.E., Status Report SR 1994-098.8 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on February 24, 2005; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 1994-098.8 and considered testimony, and the recommendations of the various county review agencies; and

WHEREAS, Article 2.E. of the Palm Beach County Land Development Code authorizes the Board of County Commissioners to approve a zoning map amendment; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The rezoning is consistent with the Palm Beach County Comprehensive Plan.
2. The rezoning is consistent with the Palm Beach County Unified Land Development Code.
3. Resolution R-95-1124 rezoned property from the RS-Single Family Residential zoning district to the CC-Community Commercial zoning district.
4. R-95-1124 was adopted on August 24, 1995.
5. More than nine years have elapsed since the approval of the rezoning.
6. The property owner has not documented any actions related to commencement of development.

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 1994-098.8, to approve a zoning map amendment to the RE-Residential Estate zoning district for property previously rezoned by the approval of the petition of Francalby Corporation, Inc., Petition No. 1994-098, confirmed by the adoption of Resolution R-95-1124, which approved a rezoning to the Community Commercial (CC) Zoning District, on property legally

described in Exhibit A, being located on the north side of Hypoluxo Road, approximately 200 feet east of High Ridge Road, is approved.

Commissioner Newell moved for approval of the Resolution.

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

TONY MASILOTTI, CHAIRMAN	—	Aye
ADDIE L. GREENE, VICE CHAIRPERSON	—	Aye
JEFF KOONS	—	Absent
WARREN H. NEWELL	—	Aye
MARY MCCARTY	—	Aye
BURT AARONSON	—	Aye
KAREN T. MARCUS	—	Aye


The Chair thereupon declared the resolution was duly passed and adopted this 24 day of February, 2005.

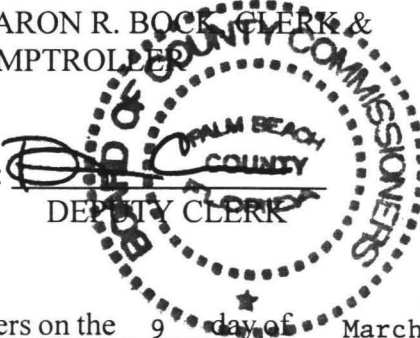
APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY COMMISSIONERS

BY:   
COUNTY ATTORNEY

SHARON R. BOCK, CLERK & COMPTROLLER

BY:   
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 9 day of March, 2005.