

RESOLUTION NO. R-89-437

RESOLUTION APPROVING ZONING PETITION NO. 82-166(C)
PETITION OF THE BOARD OF COUNTY COMMISSIONERS
TO REVOKE A SPECIAL EXCEPTION

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, the notice and hearing requirements as provided for in Chapter 402.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 82-166(C) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on April 29, 1988; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various county review agencies and the recommendations of the Planning Commission; and

WHEREAS, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner; and

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

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 82-166(C) the petition of THE BOARD OF COUNTY COMMISSIONERS, by Carol A. Roberts, Chair, TO REVOKE A SPECIAL EXCEPTION FOR COMMERCIAL NEW AND USED MOTORCYCLE, AUTO, TRUCK, BOAT, MOBILE HOME, RECREATION VEHICLE SALES, RENTAL AND REPAIR FACILITIES AND LOTS, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 82-166(B) on a parcel of land lying in Lot 4, Hunt Clement Replat in Section 30, Township 42 South, Range 43 East, as recorded in Plat Book 47, Page 104, located on the northeast corner of the intersection of Blue Heron Boulevard and Central Industrial Drive, in a CG-General Commercial Zoning District, was approved as advertised, subject to the following conditions:

1. Zoning Resolution No. R-85-1950 [Petition No. 82-166(B)] is hereby repealed and the Special Exception for a Commercial New and Used Motorcycle, Auto, Truck, Boat, Mobile Home, Recreational Vehicle Sales, Rental and Repair Facilities and Lots is hereby revoked in its entirety, including all conditions of approval. The

approved site plan for Petition No. 82-166(B), identified as Exhibit No. 40 (date November 27, 1985) in the official file, is hereby revoked.

2. Zoning Resolutions No. R-84-768 [Petition No. 82-166(A), June 12, 1984] and No. R-83-1036 [Petition No. 82-166, Special Exception, September 13, 1983] and R-83-1035 [Petition No. 82-166, Rezoning, September 13, 1983] remain in force, together with all conditions of approval. The approval site plan for this development shall be that identified as Exhibit No. 29 (dated March 13, 1984) in the official file. The area in the original site plan (Exhibit No. 29) identified as "not included" is hereby declared to be "open space". Changes in this designation shall be subject to the provision of Zoning Code Section 401.2 (Special Exceptions) and Zoning Code Section 402.7 (Site Plan Review Committee).

Commissioner Wilken moved for approval of the petition. The motion was seconded by Commissioner Adams and upon being put to a vote, the vote was **as** follows:

Carol A. Roberts	--	Absent
Carol J. Elmquist	--	Absent
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Aye
Kenneth M. Adams	--	Aye

The foregoing resolution was declared duly passed and adopted this 14th day of March, 1989 confirming action of April 29, 1988.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

J. Susan Pulat
COUNTY ATTORNEY

BY:

Tina M. Blawie
DEPUTY CLERK

