

RESOLUTION NO. **R 89-144**

RESOLUTION TO REVOKE A SPECIAL EXCEPTION
PETITION NO. 83-160(A)
PETITION OF BOARD **OF** COUNTY COMMISSIONERS

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 have been satisfied; and

WHEREAS, Petition No. 83-160(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on May **1, 1989**; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, 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, sitting as the Zoning Authority, made the following findings of fact:

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations.
2. That the petitioner for Petition No. 83-160 does not intend to **go** forward with the special exception.

WHEREAS, **402.5** of the Zoning Code requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD **OF** COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 83-160(A) the petition of THE BOARD OF COUNTY COMMISSIONERS, by Carol Elmquist, Chair, to REVOKE A SPECIAL EXCEPTION FOR AN ADULT CONGREGATE LIVING FACILITY INCLUDING AN ON-SITE WATER AND SEWAGE TREATMENT PLANT (PETITION NO. 83-160) on a parcel **of** land lying in the North **1/2** **of** the West **1/4** of the Northwest **1/4** of the Northeast **1/4** of Section 7, Township 45 South, Range 43 East, less the North 108.00 feet thereof, being located on the south

side of Hypoluxo Road, approximately .4 mile west of Congress Avenue (SR 807), in an AR-Agricultural Residential Zoning District, was approved on may 1, 1989, as advertised.

Commissioner Marcus moved for adoption of the Resolution.

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

Carol J. Elmquist, Chair	--	AYE
Karen T. Marcus	--	AYE
Carol Roberts	--	AYE
Ron Howard	--	AYE
Carole Phillips	--	AYE

The Chair thereupon declared the resolution was duly passed and adopted this 1st day of August, 1989.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: *Barbara Atkins*
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Annal. J. Brown*
DEPUTY CLERK

