

RESOLUTION NO. R-91-1165

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 82-97(A).2
TO AMEND CONDITIONS OF APPROVAL OF
RESOLUTION NO. R-88-1797
WHICH APPROVED THE SPECIAL EXCEPTION OF
B.P. OIL, INC.
PETITION NO. 82-97(A)

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.

WHEREAS, the notice and hearing requirements as provided for in Section 402.9 of the Palm Beach County Zoning Code have been satisfied; and

WHEREAS, pursuant to Section 402.9, Status Report SR 82-97(A).2 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at a public hearing conducted on January 2, 1991; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, has reviewed Status Report SR 82-97(A).2 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, Section 402.9 of the Palm Beach County Zoning Code authorizes the Board of County Commissioners, sitting as the Zoning Authority, to add or modify conditions of approval; 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; and
2. The conditions listed below require this petition to develop more in conformity with current standards of development.

WHEREAS, Section 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 the recommendation of Status Report No. SR 82-97(A).2, amending Conditions of Approval of Resolution No. R-88-1797, the Special Exception of B. P. Oil, Inc., Petition No. 82-97(A), on a parcel of land lying and being in the Northeast 1/4 of Section 36, Township 47 South, Range 41 East, and being more particularly described as follows:

COMMENCING at the Northeast corner of said Section 36 (as established per the Palm Beach County Engineering Department); thence South 01° 16' 04" East, along the Easterly line of said Section 36, a distance of 1279.77 feet; thence South 88° 37' 28" West, a distance of 146.72 feet, to a point lying on the existing Westerly right-of-way line (as of July 8, 1982) of U.S. 441, said point also being the Point of Beginning; thence South 01° 22' 32" East, along said Westerly right-of-way line, a distance of 180.00

feet; thence South $88^{\circ} 37' 28''$ West, a distance of **400.00** feet to a point lying on a line **400.00** feet West (as measured at right angles and parallel with said Westerly right-of-way line); thence North $01^{\circ} 22' 32''$ West, along said parallel line, a distance of 180.00 feet; thence North $88^{\circ} 37' 28''$ East, a distance of **400.00** feet to the Point of Beginning., being located on the west side of State Road **7**, approximately **0.2** of a mile south of 230th Street South, in a CG-General Commercial Zoning District, is approved, as amended, subject to the following conditions:

1. The petitioner shall comply with all previous conditions of approval unless expressly modified herein.
2. Prior to April **15, 1991**, the property owner shall submit to the Site Plan Review Committee a revised site plan which complies with the requirements of the **1990** Landscape code to the maximum extent possible.

Commissioner Roberts moved for approval of the Resolution.


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

KAREN T. MARCUS, CHAIR	-- Aye
CAROL J. ELMQUIST	-- Aye
CAROL ROBERTS	-- Aye
CAROLE PHILLIPS	-- Aye
MARY MCCARTY	-- Aye
KEN FOSTER	-- Aye
MAUDE FORD LEE	-- Aye-

The Chair thereupon declared the resolution was duly passed and adopted this 3rd day of September, 1991.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 

JOHN B. DUNKLE, CLERK

BY: 

