

RESOLUTION NO. R-2001-1200

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. SR 74-175A.4  
TO REZONE PROPERTY PREVIOUSLY REZONED BY  
RESOLUTION NO. R-90-372  
AND TO REVOKE THE SPECIAL EXCEPTION PREVIOUSLY GRANTED BY  
RESOLUTION NO. R-90-373  
WHICH APPROVED THE PETITION OF BURTON LEON REYNOLDS  
PETITION NO. 74-175(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; 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 74-175A.4 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on June 25, 2001; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 74-175A.4 and considered testimony, and the recommendations of the various county review agencies; and

WHEREAS, Section 5.8 of the Land Development Code authorizes the Board of County Commissioners to rezone property and to revoke special exceptions; and

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

1. The CG-General Commercial zoning district is not consistent with the land use designation of the Palm Beach County Comprehensive Plan.
2. The Unified Land Development Code today would require the proposed development to be reviewed as a Multiple Use Planned Development (MUPD).
3. It would only be appropriate for a property owner to submit a proposal for an MUPD because only the property owner knows what use and design is desired.
4. The site design of the current approval exceeds the maximum allowed number (one) of freestanding buildings in a Commercial Low Land Use designation.
5. A revocation of the Special Exception for a Planned Commercial Development is necessary to eliminate an inconsistency with the Unified Land Development Code.
6. The CC-Community Commercial zoning district is consistent with the land use designation of the Palm Beach County Comprehensive Plan.
7. A rezoning and revocation is consistent with the Palm Beach Comprehensive Plan and with the Unified Land Development Code.

WHEREAS, Section 5.3 of the Palm Beach County 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 74-175A.4, for an official zoning map amendment to the CC-Community Commercial zoning district, from the CG-General Commercial Zoning District, and the revocation of the Special Exception for a Planned Commercial Development which included 1) an auto service station (no repairs), 2) a car wash, and 3) recreation facilities, amusements, and attractions, and exhibits (petting zoo), where the rezoning and special exception were previously granted by the approval of the petition of Burton Leon Reynolds, Petition No. 74-175(A), confirmed by the adoption of Resolution Nos. R-90-372 and R-90-373, on the Southeast 1/4 of Section 12, Township 41 South, Range 41 East, described as follows:

Commencing at the Southeast corner of said Section 12, thence North 89 Degrees 55' 41" West along the South line of said Section 12 (the South line of Section 12 is assumed to bear North 89 Degrees 55' 41" West and all other bearings stated herein are relative thereto) a distance of 91.10 feet to a point on the West right of way line of State Road No. 7 as shown in the replat of Jupiter Farms and Groves, Plat Book 24, page 7, thence North 01 Degrees 08' 54" East along said right of way line a distance of 631.33 feet to the Southeast corner and the Point of Beginning thence continue North 01 Degrees 08' 54" East along said right of way line a distance of 696.99 feet to a point on the North line of the South 1/2 of the South 1/2 of said Section 12; thence North 89 Degrees 56' 05" West along said North line a distance of 274.58 feet; thence South 00 Degrees 26' 30" East a distance of 584.48 feet; thence South 87 Degrees 17' 21" West a distance of 138.44 feet; thence South 00 Degrees 26' 30" East a distance of 75.00 feet; thence North 87 Degrees 17' 21" East a distance of 177.82 feet; thence South 02 Degrees 46' 37" East a distance of 41.50 feet; thence North 89 Degrees 29' 57" East a distance of 214.18 feet to the Point of Beginning, being located on the west side of Jupiter Farms Rd. (100th Ave., North), approx. 0.2 mile north of 159th Ct., North, is approved.

Commissioner **Roberts** moved for approval of the Resolution.

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

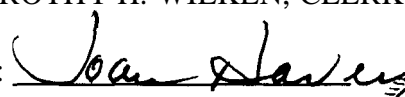
WARREN H. NEWELL, CHAIRMAN	—	Aye
CAROL A. ROBERTS, VICE CHAIR	—	Aye
BURT AARONSON	—	Aye
ADDIE L. GREENE	—	Aye
KAREN T. MARCUS	—	Absent
TONY MASILOTTI	—	Aye
MARY MCCARTY	—	Absent

The Chair thereupon declared the resolution was duly passed and adopted this 26 day of July, 2001.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

BY:   
COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK  
BY:   
DEPUTY CLERK

