

RESOLUTION NO. R-2002- 1240

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. SR 1989-132.8  
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-90-859  
WHICH APPROVED THE SPECIAL EXCEPTION OF  
SAMI, RONI, AND ROZANNE SEHAYIK  
PETITION NO. 89-132

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 5.8 of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, pursuant to Section 5.8, Status Report SR 1989-132.8 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on July 25, 2002; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 1989-132.8 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, Section 5.8 of the Palm Beach County Land Development Code authorizes the Board of County Commissioners to add or modify conditions of approval; and

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

1. The special exception is not consistent with the Unified Land Development Code because it has not been reviewed for consistency with Section 6.6.E. "Architectural Guidelines" of the Unified Land Development Code.
2. With the new condition of approval requiring the project to be certified for compliance with Section 6.6.E. of the Palm Beach County Unified Land Development Code, the special exception will be consistent with the Unified Land Development Code.
3. The amendment of conditions of approval is consistent with the Palm Beach County 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 1989-132.8, to amend Conditions of Approval of Resolution No. R-90-859, the Special Exception of Sami, Roni, and Rozanne Sehayik, Petition No. 89-132, which approved a Special Exception to permit a Planned Office Business Park, including a restaurant and lounge, on Lots 43, 44, 45 and 46 Kelsey Acres Plat No. 2, Plat Book 24, Page 47, Section 17, Township 42 South, Range 43 East, being located on the northeast corner of the intersection of S.R. A1A and Richard Road, in the CS-Specialized

Commercial Zoning, is approved, subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)
2. Prior to the issuance of a building permit, the property owner shall submit an application to the Development Review Committee for review and certification that the project is in compliance with Section 6.6.E. of the Palm Beach County Unified Land Development Code, "Architectural Guidelines." (BLDG PERMIT: MONITORING - Zoning)

Commissioner **McCarty** 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	—	Absent
BURT AARONSON	—	Aye
ADDIE L. GREENE	—	Aye
KAREN T. MARCUS	—	Aye
TONY MASILOTTI	—	Absent
MARY MCCARTY	—	Aye

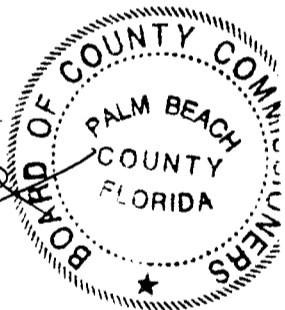
The Chair thereupon declared the resolution was duly passed and adopted this 25 day of July, 2002.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY COMMISSIONERS

BY: *[Signature]*  
COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK  
BY: *[Signature]*  
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 21 day of August, 2002.