

RESOLUTION NO. R-94- 782

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 87-44.2
TO LIFT ENTITLEMENT RESTRICTIONS
FOR PROPERTY PREVIOUSLY LIMITED TO ENTITLEMENT DEVELOPMENT BY
RESOLUTION NO. R-91-1182
APPROVING THE PETITION OF PALM BEACH COUNTY
PETITION NO. 87-44(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 87-44.2 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on June 23, 1994; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 87-44.2 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, it is appropriate to revoke the entitlement restriction imposed by the adoption of Resolution R-91-1182; and

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

1. The property owner has requested that the entitlement restriction be lifted.
2. Due to the small size of the property, 0.2 of an acre, development cannot be large enough to trigger the requirements for approval of a conditional use.
3. Development of this parcel in the CG-General Commercial Zoning District without entitlement can comply with the Countywide Traffic Performance Standard.

WHEREAS, Section 5.3 of the 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 87-44.2, to lift entitlement restrictions previously imposed by the approval of the petition of Palm Beach County, Petition No. **87-44(A)**, confirmed by the adoption of Resolution R-91-1182, on a parcel of land lying on Lots 612, 613, 614, and 615, in **Kenwood**, Section 24, Township 44 South, Range 42 East, according to the plat thereof as recorded in Plat Book 3, Pages 44 and **45.**, being located on the northeast corner of the

intersection of Military Trail (S.R. 809) and Clinton Street, in the CG-General Commercial Zoning District, is approved.

Commissioner Newell moved for approval of the Resolution.

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

MARY MCCARTY, CHAIR	--	Aye
BURT AARONSON	--	Aye
KEN FOSTER	--	Absent
MAUDE FORD LEE	--	Absent
KAREN T. MARCUS	--	Aye
WARREN H. NEWELL	--	Aye
CAROL ROBERTS	--	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 23rd day of June, 1994.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

BY: *Richard Altman*

DOROTHY H. WILKEN, CLERK

BY: *Lina M Blair*
DEPUTY CLERK

