

RESOLUTION NO. R-99- 2250

RESOLUTION TO ABANDON THE SPECIAL EXCEPTION GRANTED BY  
RESOLUTION R-79-908  
APPROVING ZONING PETITION 79-120  
(ATLAS PEAT & SOIL)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapters 125 and 163, Florida Statutes, is authorized and empowered to consider petitions related to zoning; and

WHEREAS, Zoning Petition 79-120 was presented to the Board of County Commissioners at a public hearing on June 28, 1979; and

WHEREAS, Resolution R-79-908 approving this petition was adopted by the Board of County Commissioners on June 28, 1979; and

WHEREAS, Resolution R-79-908 granted approval of the request for a special exception to allow a commercial service enterprise involving the outdoor storage, pulverizing and mixing of various earthy materials, including muck, peat, soil, sand, sawdust and woodchips for distribution to various destinations; such as but not limited to, nurseries and golf courses; and

WHEREAS, the Zoning Director has determined the request to administratively abandon the special exception granted under R-79-908, as provided for in Article 5 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20, as amended), meets the requirements contained therein; and

WHEREAS, the Zoning Director has administratively abandoned the special exception granted under R-79-908, as provided for in Article 5 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20, as amended); and

WHEREAS, the Zoning Director presented the abandonment of the special exception granted under Resolution R-79-908 to the Board of County Commissioners for ratification on December 2, 1999; and

WHEREAS, Article 5, Section 5.3.D.9 (Action by Board of County Commissioners) of the Palm Beach County Unified Land Development Code requires that 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 Special Exception granted under Resolution R-79-908, approving Zoning Petition 79-120, the petition of Margaret Lufs & Brian Lufs, by William M. Hall, agent, for a special exception to allow a commercial service enterprise involving the outdoor storage, pulverizing and mixing of various earthy materials, including muck, peat, soil, sand, sawdust and woodchips for distribution to various destinations; such as but not limited to, nurseries and golf courses is hereby abandoned.

Commissioner Masilotti moved for the approval of the Resolution.

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

Maude Ford Lee, Chair	-	Absent
Warren Newell, Vice Chair	-	Aye
Karen T. Marcus	-	Aye
Carol A. Roberts	-	Absent
Mary McCarty	-	Absent
Burt Aaronson	-	Aye
Tony Masilotti	-	Aye

The Chair thereupon declared that the resolution was duly passed and adopted on December 2, 1999.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS  
DOROTHY H. WILKEN, CLERK

BY:   
COUNTY ATTORNEY

BY:   
DEPUTY CLERK

