

RESOLUTION NO. R-2006- 1532

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. SR 80-236B.12  
TO APPROVE A DEVELOPMENT ORDER AMENDMENT  
TO AMEND CONDITIONS OF APPROVAL  
FOR PROPERTY PREVIOUSLY GRANTED  
A DEVELOPMENT ORDER AMENDMENT BY  
RESOLUTION NO. R-2002-0606  
APPROVING THE PETITION OF GARY AND JULIE WESTON  
PETITION NO. 1980-236(B)

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 Article 2.E. of the Palm Beach County Unified Land Development Code have been satisfied; and

WHEREAS, pursuant to Article 2.E., Status Report SR 80-236B.12 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on August 23, 2006; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 80-236B.12 and considered testimony, and the recommendations of the various county review agencies; and

WHEREAS, Article 2.E. authorizes the Board of County Commissioners to approve Development Oder Amendments; and

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

1. The property owner has requested the revocation of the approval for a second phase building.
2. Approval of a development order amendment to amend conditions of approval will prohibit the construction of a second phase.
3. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and the Unified Land Development Code.

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 80-236B.12, to approve a Development Order Amendment to amend conditions of approval, amending the development order previously granted by the approval of the petition of

Gary and Julie Weston, Petition No. 1980-236(B), confirmed by the adoption of Resolution R-2002-0606, which approved a Development Order Amendment to reconfigure site plan and amend conditions of approval, on Lots 52 thru 62, less the East 3.0 feet thereof; and Lots 239 thru 241, Plat of Kenwood, according to the plat thereof, in Section 24, Township 44 South, Range 42 East, as recorded in Plat Book 3, Page 44. Together with that portion of the 20.0 foot service alley shown on the Plat of Kenwood, Plat Book 3, Page 44, more particularly described as being that right of way bounded on the North by the South right of way line of Cambridge Street, on the East by the West line of Lots 52 thru 59 inclusive, and on the South by the North right of way line of Springfield Street. And on the West by the East line of Lots 60 and 241 of said Kenwood., being located on the southwest corner of Cambridge Street and Military Trail, in the General Commercial Zoning District, is approved subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein.
2. Condition Number D.3. of Resolution No. R-2002-0606 which currently states:

In Phase 1, the use of the site shall be limited to vehicle sales only. No repair, maintenance, or vehicle washing shall take place on site as long as this project is served by an on site sewage treatment system. The one (1) building shall be approximately 2,000 square feet with no bay doors, and limited to office use. At such time as the project is connected to public sewer and the septic tank is abandoned in accordance with Palm Beach County ECR #1, the remainder of the project to include the second building and repair uses, shall then be a permitted use. (BLDG PERMIT/ONGOING: BLDG/HEALTH - Health) (Previously Condition 2. of Resolution R-91-523, Petition 80-236(A))

Is hereby amended to state:

The use of the site shall be limited to vehicle sales only. No repair, maintenance, or vehicle washing shall take place on site as long as this project is served by an on site sewage treatment and disposal system. The building shall be approximately 2,000 square feet with no bay doors, and limited to office use. (ONGOING: BLDG/HEALTH - Health) (Previously Condition D.3. of Resolution R-2002-0606, Petition 80-236(B))

3. The approval of a phase 2 building is hereby revoked. (ONGOING: Zoning)

Commissioner Koons 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:

TONY MASILOTTI, CHAIRMAN	—	Aye
ADDIE L. GREENE, VICE CHAIRPERSON	—	Aye
JEFF KOONS	—	Aye
WARREN H. NEWELL	—	Aye
MARY MCCARTY	—	Absent
BURT AARONSON	—	Aye
KAREN T. MARCUS	—	Aye

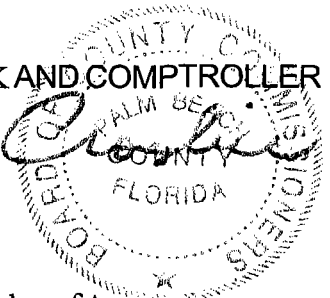
The Chair thereupon declared the resolution was duly passed and adopted this 23rd day of August, 2006.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

BY:   
COUNTY ATTORNEY

SHARON R. BOCK, CLERK AND COMPTROLLER  
BY:   
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 23rd day of August, 2006.