

RESOLUTION NO. R-89-1029

RESOLUTION TO REVOKE A SPECIAL EXCEPTION  
PETITION NO. 85-177(A)  
PETITION OF BOARD OF COUNTY COMMISSIONERS

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, the notice and hearing requirements as provided for in Chapter 402.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 85-177(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on September 26, 1988; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various county review agencies and the recommendations of the Planning Commission; and

WHEREAS, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner; and

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

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 85-177(A) the petition of THE BOARD OF COUNTY COMMISSIONERS, to REVOKE A SPECIAL EXCEPTION FOR GASOLINE PUMP ISLAND FACILITIES (PETITION NO. 85-177) on a parcel of land lying on Lots 1 and 2, less the East 13 feet thereof, Kelmar Park, in Section 12, Township 44 South, Range 42 East, as recorded in Plat Book 23, Page 1, being located on the northwest corner of the intersection of Military Trail (SR 809) and Kelmar Drive in a CG-General Commercial Zoning District, was approved as advertised, subject to the following condition:

1. Zoning Resolution No. 86-634 (Petition No. 85-177-Special Exception to Allow Gasoline Pump Island Facilities) is hereby repealed in its entirety.


Commissioner Marcus moved for approval of the petition. The motion was seconded by Commissioner Elmquist and, upon being put to a vote, the vote was as follows:

Carol A. Roberts	--	Aye
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Absent
James Watt	--	Absent

The foregoing resolution was declared duly passed and adopted this 6th day of June, 1989 confirming action of September 26, 1988.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY :

  
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

  
DEPUTY CLERK

