

RESOLUTION NO. R- 2000-0412

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 89-125.6
TO REVOKE THE SPECIAL EXCEPTION
FOR PROPERTY PREVIOUSLY GRANTED A SPECIAL EXCEPTION BY
RESOLUTION NO. R-90-832
APPROVING THE PETITION OF
FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF DELRAY BEACH
PETITION NO. 89-125

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 89-125.6 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on March 23, 2000: and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 89-125.6 and considered testimony, 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 revoke Special Exceptions; and

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

1. The revocation of a Special Exception is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.
2. General repair development regulations in the Palm Beach County Unified Land Development Code have changed significantly since the Special Exception was approved.
3. There is now a minimum separation from residential districts to the west which this Special Exception does not meet.
4. The Special Exception is no longer consistent with the Palm Beach County 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 89-125.6, to revoke the Special Exception previously granted by the approval of the petition of First Federal Savings and Loan Association of Delray Beach, Petition No. 89-125, confirmed by the adoption of Resolution R-90-832, which granted a Special Exception to permit an auto service station (tire store), on on a parcel of land lying South 168.27 feet of the East 313.00 feet

of the following described parcel: The South 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Northwest 1/4, of Section 13, Township **44** South, Range 42 East, less the 53.00 feet thereof, for road right of way of State Road 809, being located on the west side of Military Trail, approximately 0.2 of a mile south of Purdy Lane, in the CG-General Commercial Zoning District, is approved.

Commissioner Aaronson / moved for approval of the Resolution.

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

MAUDE FORD LEE, CHAIR	—	Aye
WARREN H. NEWELL, VICE CHAIR	—	Aye
BURT AARONSON	—	Aye
KAREN T. MARCUS	—	Absent
TONY MASILOTTI	—	Aye
MARY MCCARTY	—	Aye
CAROL ROBERTS	—	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 23 day of March, 2000.

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

