

RESOLUTION NO. R-2002-0140

RESOLUTION TO ABANDON THE SPECIAL EXCEPTION GRANTED BY
RESOLUTION R-79-0093 APPROVING
ZONING PETITION 1978-283

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 1978-283 was presented to the Board of County Commissioners at a public hearing on December 28, 1978; and

WHEREAS, Resolution R-79-0093 approving this petition was adopted by the Board of County Commissioners on January 23, 1979; and

WHEREAS, Resolution R-79-0093 granted approval of the request for the REZONING, FROM AG - AGRICULTURAL DISTRICT TO CS - SPECIALIZED COMMERCIAL DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A FINANCIAL INSTITUTION WITH DRIVE-UP TELLER WINDOWS, A RESTAURANT/LOUNGE, AN ON-SITE WATER TREATMENT PLANT AND AN ON-SITE SEWAGE TREATMENT PLANT; and

WHEREAS, the Zoning Director has determined the request to administratively abandon the special exception granted under R-79-0093, 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-79-0093, 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 R-79-0093 to the Board of County Commissioners for ratification on January 31, 2002; 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-79-0093, approving Zoning Petition 1978-283, the petition of Tree Plateau Company, Inc, by Cormac C. Conahan, Attorney, agent, for a REZONING, FROM AG - AGRICULTURAL DISTRICT TO CS - SPECIALIZED DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A FINANCIAL INSTITUTION WITH DRIVE-UP TELLER WINDOWS, A RESTAURANT/LOUNGE, AN ON-SITE WATER TREATMENT PLANT AND AN ON-SITE SEWAGE TREATMENT PLANT is hereby abandoned.

Commissioner Aaronson moved for the approval of the Resolution.

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

Warren H. Newell, Chairman	-	Aye
Carol A. Roberts, Vice Chair	-	Aye
Karen T. Marcus	-	Aye
Mary McCarty	-	Absent
Burt Aaronson		Aye
Tony Masilotti	-	Absent
Addie L. Greene	-	Aye

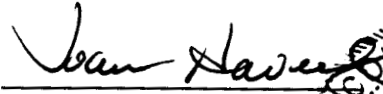
The Chair thereupon declared that the resolution was duly passed and adopted on January 31, 2002.

Filed with the Clerk of the Board of County Commissioners on 12 day of February, 2002.

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

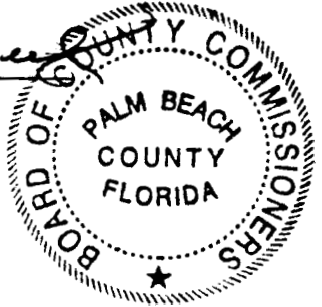


EXHIBIT A

LEGAL DESCRIPTION

THE WEST $\frac{1}{2}$ OF THE NORTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 22, TOWNSHIP 46 SOUTH, RANGE 42 EAST; TOGETHER WITH, THE NORTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 22, EXCEPTION, HOWEVER, THE RIGHTS-OF-WAY FOR STATE ROAD 806 AND CARTER ROAD AND L.W.D.D. LATERAL NO. 34.