

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 76-31(A).3
TO REVOKE THE SPECIAL EXCEPTION
FOR PROPERTY PREVIOUSLY GRANTED A SPECIAL EXCEPTION BY
RESOLUTION NOS. R-76-372 AND R-88-1806
APPROVING THE PETITIONS OF
F.M.K. INC. AND CARL T. AND FANNIE H. BLANCHARD, AND
JAMES D. LASSITER, RAYMOND G. TRONZO, AND JOHN T. CHRISTIANSON
PETITION NOS. 76-31 AND 76-31(A)
AND TO IMPOSE ENTITLEMENT RESTRICTIONS

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 5.8 of the Palm Beach County Unified Land Development Code have been satisfied; and

WHEREAS, pursuant to Article 5.8, Status Report SR 76-31(A).3 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at a public hearing conducted on September 24, 1992; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, has reviewed Status Report SR 76-31(A).3 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, Article 5.8 of the Palm Beach County Zoning Code authorizes the Board of County Commissioners, sitting as the Zoning Authority, to revoke Special Exceptions; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, made the following findings of fact:

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations;
2. The current approval does not comply with the Countywide Traffic Performance Standard; and
3. The property owner failed to comply with condition number 16 of Resolution number R-88-1806.

WHEREAS, Article 5 of the Unified Land Development Code requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, 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 76-31(A).3, to impose entitlement restrictions and to revoke the Special Exception previously granted by the approval of the petitions of F.M.K. Inc. and Carl T. and Fannie H. Blanchard, and James D. Lassiter, Raymond G. Tronzo, and John T. Christianson, Petition Nos. 76-31 and 76-31(A), confirmed by the adoption of Resolution Numbers R-76-372 and R-88-1806, which approved a Special Exception to Allow a Planned Commercial Development on the Northwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 5, Township 44 South, Range 43 East, being more particularly described as follows:

Beginning at the intersection of the West line of the East 771.74 feet of the Northwest 1/4 of the Southwest 1/4 of Section 5, Township 44 South, Range 43 East, with the North right-of-way line of Summit Boulevard as shown on Road Plat Book 3, Page 165, thence North 88 degrees 08' 06" West along the said Northerly right-of-way line of Summit Boulevard, a distance of 377.65 feet, more or less, to a line parallel with and 183.00 feet Easterly from the West line of said Section 5; thence North 2 degrees 55' 04" East along said parallel line, a distance of 150.00 feet; thence North 88 degrees 08' 06" West parallel with the Northerly line of said Summit Boulevard, a distance of 150.00 feet to a line parallel with and 33.00 feet Easterly from the West line of said Section 5, also being the Eastern right-of-way line of Congress Avenue, the same as shown on Road Plat Book 3, Page 32 through 39; thence North 2 degrees 55' 04"; East along the Easterly right-of-way line of Congress Avenue, a distance of 201.12 feet, more or less to the North line of the South 1/2 of the Northwest 1/4 of the Southwest 1/4 of said section 5; thence South 88 degrees 07' 56" East along said North line of the south 1/2 of the Northwest 1/4 of the Southwest 1/4, a distance of 529.78 feet, more or less, to the said West line of the East 771.74 feet of the Northwest 1/4 of the Southwest 1/4 of Section 5; thence South 3 degrees 15' 14" West along the said West line of the East 771.74 feet, a distance of 351.14 feet, more or less, to the POINT OF BEGINNING.

Together with Lots 1 through 10, Block 1, PALM ACRES ESTATES, as recorded in Plat Book 20, Page 5 of the Public Records, being located on the southeast corner of Congress Avenue and Oklahoma Street, bounded on the south by Summit Boulevard, is approved.

Commissioner Roberts moved for approval of the Resolution.

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

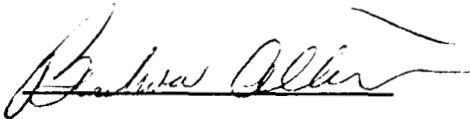
Mary McCarty, Chair	--	Aye
Ken Foster, Vice Chair	--	Aye
Burt Aaronson	--	Aye
Maude Ford Lee	--	Aye
Karen T. Marcus	--	Aye
Warren Newell	--	Aye
Carol A. Roberts	--	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 26th day of January, 1993.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

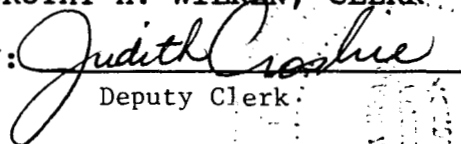
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY:



DOROTHY H. WILKEN, CLERK

BY:



Deputy Clerk

