

RESOLUTION NO. R-93-176

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 89-34.2
TO REVOKE THE SPECIAL EXCEPTION
FOR PROPERTY PREVIOUSLY GRANTED A SPECIAL EXCEPTION BY
RESOLUTION NO. R-89-2229
APPROVING THE PETITION OF MICHAEL BENDE
PETITION NO. 89-34

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 89-34.2 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on January 28, 1993; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 89-34.2 and considered testimony presented by the applicant and other interested parties, 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. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations; and
2. The revocation will eliminate an inconsistency with the Palm Beach County Comprehensive Plan.
The current approval does not comply with the Countywide Traffic Performance Standard.

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 89-34.2, to revoke the Special Exception previously granted by the approval of the petition of Michael Bende, Petition No. 89-34, confirmed by the adoption of Resolution R-89-2229, which granted a Special Exception to permit a Planned Unit Development consisting exclusively of a Congregate Living Facility-Type 3, on a parcel of land lying on Tract 1 consisting of the South 393.66 feet thereof, Section 20, Township 46 South, Range 42 East, Palm Beach Farms Company Plat No. 1, Plat Book 2, Pages 26 through 28., being located on the approximately 300 feet south of Delray West Road (SR 806) and 0.75

of a mile east of Florida's Turnpike (Sunshine State Parkway), is approved.

Commissioner Marcus moved for approval of the Resolution.

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

KAREN T. MARCUS	--	Aye
WARREN H. NEWELL	--	Aye
CAROL ROBERTS	--	Absent
BURT AARONSON	--	Absent
MARY MCCARTY	--	Aye
KEN FOSTER	--	Absent
MAUDE FORD LEE	--	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 29th day of January, 1993 .,

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: *Darius Altman*

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: *Jana M. Blair* *DC*

