

RESOLUTION NO. R-93- 1202

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. CR 91-45/E4
TO REVOKE THE SPECIAL EXCEPTION
FOR PROPERTY PREVIOUSLY GRANTED A SPECIAL EXCEPTION BY
RESOLUTION NO. R-92-1815
WHICH APPROVED THE PETITION OF
SUNLIFE HOMES, INC.
PETITION NO. 91-45

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.

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 CR 91-45/E4 was presented to the Board of County Commissioners of Palm Beach County, at a public hearing conducted on September 23, 1993; and

WHEREAS, the Board of County Commissioners has reviewed Status Report CR 91-45/E4 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 impose entitlement restrictions; 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. To comply with the Countywide Traffic Performance Standard, the type of surety required by Condition Number E4 of Resolution R-92-1815 must be submitted within six months of zoning approval. Sixteen months has elapsed since the approval on May 28, 1992, and the surety has not been submitted.
3. The condition has already had one eight month time extension.
4. Subsequent to the approval of Petition 92-45, the Board of County Commissioners approved another development based upon the petitioner providing adequate surety to guarantee the road construction required by Condition Number E4.
5. The project does not comply with the Countywide Traffic Performance Standard.

WHEREAS, Section 5.3 of the Palm Beach County 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. CR 91-45/E4, to revoke the

Special Exception previously granted by the approval of the petition of Sunlife Homes, Inc., Petition No. 91-45, confirmed by the adoption of Resolution R-92-1815, which granted a Special Exception to allow a Planned Unit Development, on a parcel of land lying in Tracts 86, 87 and 88 and West 1/2 of Tract 89, Block 80, PALM BEACH FARMS COMPANY, PLAT NO. 3, Plat Book 2, Page 53, TOGETHER with the East 1/2 of that certain 50 foot road reservation lying west of and adjacent to said Tracts 86 and 87 and TOGETHER with the South 1/2 of that certain 30 foot road reservation lying north of said Tract 86; TOGETHER with the North 15.00 feet of Tracts 5, 6, 7 and 8, Block 83, and that certain 50 foot road reservation lying north of and adjacent to said Tracts 5, 6, 7 and 8, Block 83 of said PALM BEACH FARMS COMPANY, PLAT NO. 3., being located on the approximately 400 feet east of S.W. 14th Street and Lyons Road, and approximately 0.45 of a mile north of S.W. 18th Street, in the RS-Single Family Residential Zoning District, is approved.

Commissioner Aaronson moved for approval of the Resolution.

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

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

The Chair thereupon declared the resolution was duly passed and adopted this 23rd day of September, 1993.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: _____

BY: *Dorothy H. Wilken*

