

RESOLUTION NO. R-97- 2088

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 83-161A
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-91-1070
WHICH APPROVED THE SPECIAL EXCEPTION OF
RICHARD E. BASTIN
PETITION NO. 83-161(A)

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 SR 83-161A was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on December 4, 1997; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 83-161A 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 add or modify conditions of approval; and

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

1. The amendment to conditions of approval is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code; and
2. The number of square feet constructed in Phase 1 exceeds the number of square feet approved for Phase 1 on the certified site plan.

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. SR 83-161A, to amend Conditions of Approval of Resolution No. R-91- 1070, the Special Exception of Richard E. Bastin, Petition No. 83-161(A), which amended the site plan for a Planned Commercial Development (PCD) to allow a vehicle sales and rental service and an auto paint and body shop on

PARCEL A:

Parcel 1: The South 200 feet of the North 215 feet of the East Quarter of the Northeast

Quarter of the Northeast Quarter of the Northeast Quarter of Section **25**, Township **43** South, Range **42** East, Palm Beach County, Florida; subject, however, to an easement along the East 15 feet thereof, which is expressly reserved for rights of ingress and egress to adjoining lands; LESS the North 10 feet thereof as conveyed in Official Records Book **4386**, Page **1557**.

Parcel 2: The South **200** feet of the North **215** feet of the West Half of the East Half of the East Half of the Northeast Quarter of the Northeast Quarter of Section **25**, Township **43** South, Range **42**, Palm Beach County, Florida; subject to an easement along the West **15** feet thereof, which is expressly reserved for rights of ingress and egress to adjoining lands; LESS the North 10 feet thereof as conveyed in Official Records Book **4386**, Page **1557**.

PARCEL B:

The East 1/8th of the Northeast Quarter of Northeast Quarter of Section 25, Township **43** South, Range **42** East, **LESS** the North **215** feet thereof and **LESS** the South **660** feet thereof in Palm Beach County, Florida.

PARCEL C:

The West Half of the East Quarter of the Northeast Quarter of the Northeast Quarter, LESS the South **660** feet thereof and LESS the North 215 feet thereof all in Section **25**, Township **43** South, Range **42** East.

PARCEL D:

The West Half of the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of Section **25**, Township **43** South, Range **42** East, Palm Beach County, Florida, LESS the West **200** feet, also LESS the North 15 feet; EXCEPTING THEREFROM that certain parcel of land previously conveyed by the party of the first part to The Firestone Tire and Rubber Company, an Ohio corporation, by date of May 10, **1972**, and recorded in Official Records Book **2013**, Page **654**, Public Records of Palm Beach County, and further excepting the West 10 feet thereof as conveyed in Official Records Book **4386**, Page 1559, being located on the south side of Okeechobee Boulevard and the east side of Indian Road, approximately 0.2 of a mile north of Westgate Avenue in the CG-General Commercial Zoning District, is approved, subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified here in. (ONGOING)
2. Prior to the issuance of the next building permit, the certified site plan shall be

amended to reflect the as-built number of square feet in the display, showroom, and administration building of Phase 1. (BLDG PERMIT: MONITORING - Zoning)

Commissioner *Marcus* moved for approval of the Resolution.

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

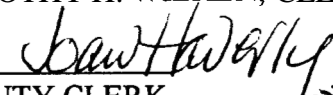
BURT AARONSON, CHAIRMAN	—	Aye
MAUDE FORD LEE, VICE CHAIR	—	Aye
KEN FOSTER	—	Aye
KAREN T. MARCUS	—	Aye
MARY MCCARTY	—	Absent
WARREN H. NEWELL	—	Aye
CAROL ROBERTS	—	Absent

The Chair thereupon declared the resolution was duly passed and adopted this 4 day of December, 1997.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 
COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK
BY: 
DEPUTY CLERK

