

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 94-11
TO REVOKE THE CLASS A CONDITIONAL USE
FOR PROPERTY PREVIOUSLY GRANTED A CLASS A CONDITIONAL USE BY
RESOLUTION NO. R-94-939
APPROVING THE PETITION OF ZIMMERMAN DEVELOPMENT SERVICES CORP.
PETITION NO. 94-11

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 94-11 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on April 23, 1998; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 94-11 and considered testimony, 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. The revocation is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.
2. The project does not meet the Palm Beach County Countywide Traffic Performance Standards.
3. The property owner has not complied with condition number A 1. of Resolution R-94-939 which required the conveyance of right-of-way for a safe site corner by 10-1-94.
4. The property owner has not documented the expenditure of money for normal predevelopment activities.
5. The Director of the Palm Beach County Housing and Community Development Department has no objection to the revocation.

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 94-11, to revoke the Class A Conditional Use previously granted by the approval of the petition of Zimmerman Development Services Corp., Petition No. 94-11, confirmed by the adoption of Resolution R-94-939, which approved a Class A Conditional Use allowing a Residential Density Bonus (8 units), on THE WEST 507.56' OF TRACT C, BLOCK 56, WESTGATE

ESTATES, REPLAT OF BLOCKS 7 AND 55 AND BLOCK 56, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 16 PAGE 14, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, TWP 43, RGE 43, SEC 30, being located on the northeast corner of Oswego Avenue and Wabasso Drive, in the RM-Multi-Family Residential (Medium Density) Zoning District, is approved.

Commissioner Newell moved for approval of the Resolution.

The motion was seconded by Commissioner ^{McCarty} and, upon being put to a vote, the vote was as follows:

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

The Chair thereupon declared the resolution was duly passed and adopted this 23 day of -April, 1998.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

BY: *[Signature]*
COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK
BY: *[Signature]*
DEPUTY CLERK

