

RESOLUTION NO. R-2004-0964

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 1987-136.10
TO REVOKE THE SPECIAL EXCEPTION APPROVED BY
RESOLUTION NO. R-89-358
PETITION NO. 1987-136
THE PETITION OF PATRICIA MARSHALL

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 2.E. of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, pursuant to Article 2.E., Status Report SR 1987-136.10 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on May 27, 2004; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 1987-136.10 and considered testimony, and the recommendations of the various county review agencies; and

WHEREAS, Article 2.E. of the Palm Beach County Land Development Code authorizes the Board of County Commissioners to revoke the Special Exception; and

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

1. Resolution No. R-89-358 was approved more than fifteen years ago.
2. Time extensions totaling thirteen years have previously been approved.
3. Development has not commenced since the development order was approved.
4. The revocation of a special exception is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.

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 1987-136.10, to revoke the Special Exception previously granted by the approval of the petition of Patricia Marshall, Petition No. 1987-136, confirmed by the adoption of Resolution R-89-358, which approved a Planned Commercial Development (PCD), on a parcel of land lying in the West ½ of the Southwest ¼ of Tract 69, of Section 19, Township 44 South, Range 43 East, as recorded in Plat Book 6, Page 66. **LESS** the South 40.00 feet thereof, and **LESS** the right-of-way of State Road 802.

TOGETHER WITH:

The East ½ of the Southwest ¼, of Tract 69, in Section 19, Township 44 South, Range 43 East, as

recorded in Plat Book 6, Page 66. **LESS** all that portion of the preceding described parcel of land for road right-of-way purposes, situated in Section 19, Township 44 South, Range 43 East, lying South of the proposed North right-of-way line of Lake Worth Road, as shown on the right-of-way map of Lake worth Road, recorded in Road Book 5, Pages 125-138, located on the north side of Lake Worth Road (S.R. 802), approximately 300.00 feet east of Davis Road., being located on the north side of Lake Worth Road (S.R. 802) approximately 300 feet east of Davis Road, in the CG-General Commercial Zoning District, is approved.

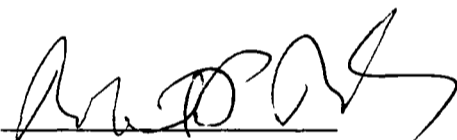
Commissioner Aaronson moved for approval of the Resolution.

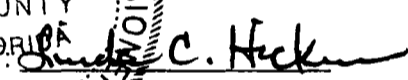
The motion was seconded by Commissioner Greene and, upon being put to a vote, the vote was as follows:

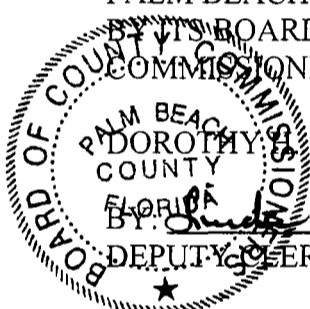
KAREN T. MARCUS, CHAIR	—	Aye
TONY MASILOTTI, VICE CHAIRMAN	—	Absent
JEFF KOONS	—	Absent
WARREN H. NEWELL	—	Aye
MARY MCCARTY	—	Absent
BURT AARONSON	—	Aye
ADDIE L. GREENE	—	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 27 day of May, 2004.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

BY: 
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
 BOARD OF COUNTY COMMISSIONERS
 DOROTHY WILKEN, CLERK
 BY: 
 DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 22 day of June, 2004.