

RESOLUTION NO. R-2005-0815

RESOLUTION REVOKING SPECIAL EXCEPTIONS GRANTED UNDER
RESOLUTIONS R-1978-1275 and R-1981-1594
(CONTROL NUMBER 1978-215)
AFFIRMING THE ADMINISTRATIVE ABANDONMENT
OF ZONING PETITIONS SE1978-215 AND SE1981-180

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapters 125 and 163, Florida Statutes, is authorized and empowered to consider petitions related to zoning; and

WHEREAS, Zoning Petitions SE1978-215 and SE1981-180 were presented to the Board of County Commissioners at public hearings on September 25, 1978 and October 29, 1981; and

WHEREAS, Resolutions R-1978-1275 and R-1981-1594 approving these petitions were adopted by the Board of County Commissioners on October 10, 1978 and December 22, 1981; and

WHEREAS, the Zoning Director has determined the request to administratively abandon the development orders, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067), meets the requirements contained therein; and

WHEREAS, the Zoning Director has administratively abandoned the development orders, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067); and

WHEREAS, the Zoning Director presented the abandonment of the development orders to the Board of County Commissioners for ratification on April 28, 2005; and

WHEREAS, Article 2.A.1.K (Public Hearing Procedures) of the Palm Beach County Unified Land Development Code requires that 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 Resolutions R-1978-1275 and R-1981-1594, approving Zoning Petitions SE1978-215 and SE1981-180, the petition of Roast Beefery Restaurant International Inc. and Brenda Donahue, by John W. Ewseychik, Jr., agent, for a SPECIAL EXCEPTION TO ALLOW A RESTAURANT WITH A DRIVE-IN WINDOW FACILITY AND ON-SITE WATER TREATMENT FACILITY and A SPECIAL EXCEPETION TO ALLOW AN OFFICE/WAREHOUSE COMBINATION are hereby revoked.

Commissioner Marcus moved for the approval of the Resolution.

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

Tony Masilotti, Chair	- Aye
Addie L. Greene, Vice Chairperson	- Aye
Karen T. Marcus	- Aye
Jeff Koons	- Aye
Warren H. Newell	- Absent
Mary McCarty	- Absent
Burt Aaronson	- Aye


The Chair thereupon declared that the resolution was duly passed and adopted on April 28, 2005.

Filed with the Clerk of the Board of County Commissioners on 31 day of May, 2005.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS
SHARON R BOCK,
CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK




EXHIBIT A

LEGAL DESCRIPTION

Lot 14, less the East 25 feet thereof, and all of Lots 15 through 19, inclusive, Block 3, Plat of the East Half of Miller's Addition, in Section 19, Township 44 South, Range 43 East, as recorded in Plat Book 16, page 16; together with that portion of the North 25 feet of Coral Ave., as shown on said Plat, lying contiguous with, and South of, said Lots 14 through 19, and bordered on the east by a Southerly extension of the East line of Lot 14, less the East 25 feet thereof, and bordered on the West by a Southerly extension of the West line of Lot 19. Said property located on the west side of Congress Avenue (S.R. 807), approximately 250 feet north of Lucerne Avenue (S.R. 802).