

RESOLUTION NO. R-2010-1755

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. STR-2005-0064-1
TO REVOKE THE CLASS A CONDITIONAL USE APPROVED BY
RESOLUTION NO. R-2005-1401
CONTROL NO. 2005-0064
APPLICATION NO. CA-2005-00153
THE PETITION OF MEDHI POURPAKI

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 STR-2005-0064-1 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on October 28, 2010; and

WHEREAS, the Board of County Commissioners has reviewed Status Report STR-2005-0064-1 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 Conditional Use "A"; and

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

1. Article 2.E. of the Unified Land Development Code (ULDC) requires staff to determine if previously approved development orders are consistent with the ULDC and the Palm Beach County Comprehensive Plan (Comprehensive Plan);
2. The approval does not meet the requirements of the Westgate Community Redevelopment Agency Overlay (WCRAO);
3. The approval is therefore inconsistent with the ULDC and Comprehensive Plan; and
4. The revocation of a resolution to approve a Conditional Use A is consistent with the Comprehensive Plan and with the ULDC.

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 STR-2005-0064-1, to revoke a Class A Conditional Use for a Dispatching Office in the General Commercial Zoning District, pursuant to Resolution R-2005-1401 (Control No. 2005-064), on LOTS 24-30, AND LOTS 57-60, BLOCK 36 "WEST GATE ESTATES (NORTHERN SECTION) ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 38 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, being located on the Southwest corner of Suwanee Drive and Westgate Avenue, is approved.

The foregoing Resolution was offered by Commissioner Vana who moved its adoption. The motion was seconded by Commissioner Abrams and, upon being put to a vote, the vote was as follows:

Commissioner Burt Aaronson, Chairman	<u>Aye</u>
Commissioner Karen T. Marcus, Vice Chair	<u>Absent</u>
Commissioner District 2	<u> </u>
Commissioner Shelley Vana	<u>Aye</u>

Commissioner Steven L. Abrams
Commissioner Jess R. Santamaria
Commissioner Priscilla A. Taylor

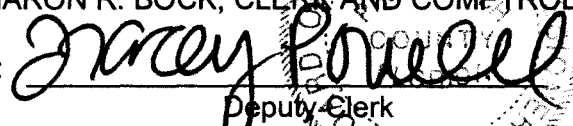
Aye
Aye
Aye

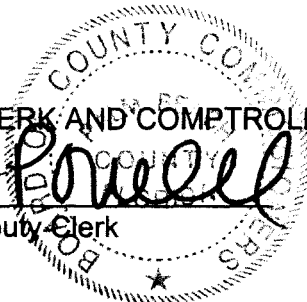
The Chair thereupon declared the resolution duly passed and adopted this 28th day of October, 2010.

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

By: 
Assistant County Attorney

SHARON R. BOCK, CLERK AND COMPTROLLER
By: 
Deputy Clerk



Filed with the Clerk of the Board of County Commissioners on the 29th day of October, 2010.