

PALM BEACH COUNTY

STATUS REPORT CR 89-112  
(For Zoning Petition 89-112)

Staff Recommendation

Staff recommends that the Board of County Commissioners revoke the Special Exception which permitted a new and used commercial automobile truck boat motorcycle mobile home recreational vehicles sales and rental and repair facilities and lots (used car sales) This recommendation is based on the following

- 1 The recommendation is consistent with the Comprehensive Plan
- 2 The property owner has requested that the special exception be revoked
- 3 The property owner through her attorney Gregory Kino (letter dated 7-30-92) has indicated a desire to have the special exception revoked She has also agreed to not seek a return of the previously conveyed right-of-way

Development App al and Condition(s) Being Reviewed. Zoning Petition 89-112 was approved by the adoption of Resolutions R-90-589 and R-90-590 on April 3 1990 The resolutions rezoned the property to CG-General Commercial Zoning District and granted a Special Exception to permit a new and used commercial automobile truck boat motorcycle mobile home recreational vehicles sales and rental and repair facilities and lots (used car sales) The zoning action is now being reviewed pursuant to Unified Land Development Code Section 5 8 "Compliance with Time Limitations because Condition Number 2 of Resolution R-92-866 has not been fulfilled This condition states

By September 30 1992 the property owner shall submit and have certified a site plan which 1) complies to the maximum extent possible with the landscape code in effect at that time and (2) complies with Section 500 13 Commercial new and used motorcycles auto truck boat mobile home recreational vehicles and rental and repair facilities and lots or equivalent section of the Code in effect at time of approval

Property Description. The subject property is approximately 0.5 of an acre in size and is on the northwest corner of the intersection of Westgate Avenue and Seminole Boulevard

Property Owner(s). Nathan and Catherine Siegel

Required Action. Unified Land Development Code Section 5 8 requires that the Board of County Commissioners take one or more of the following actions grant a time extension of up to twelve months revoke the Special Exception and possibly rezone the property impose entitlement density/intensity add or modify conditions of approval permit the property owner(s) to initiate a petition to modify or add conditions or direct staff to cite the property owner for Code violation

REVIEW FACTORS

Consistency with Land Use Plan

The Land Use Plan category for the subject property is Commercial-High with an underlying designation of High Residential 9 The current zoning and special exception are consistent with the Comprehensive Plan

Performance Standards

The current approval can meet the Countywide Traffic Performance Standard by qualifying for one-fifth of five percent additional

traffic available to new development (Test 1)

Supplemental

Condition number 13 of Resolution R-90-590 required the conveyance of right-of-way for Westgate Avenue This has been done

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November 1992