

RESOLUTION NO. R-89- 848

RESOLUTION DENYING ZONING PETITION NO. 88-32
REZONING PETITION OF DRM PARTNERS

WHEREAS, the Board of County Commissioners, a's 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, the notice and hearing requirements as provided for in Chapter 402.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 88-32 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on July 29, 1988; and

WHEREAS, the Board of County Commissioners, pursuant to the criteria set forth in the Comprehensive Land Use Plan and the Zoning Code of Palm Beach County, Florida, in particular Sections 102 and 402.2, has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various county review agencies and the recommendations of the Planning Commission; and

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

1. This proposal is not consistent with the requirements of the Comprehensive Plan, which required the protection of 220 feet of right-of-way on Southern Boulevard, and local land development regulations.
2. This proposal does not promote the public health, safety, or welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 88-32, the petition of DRM PARTNERS, by Kieran J. Kilday, Agent, for a REZONING FROM AR-AGRICULTURAL RESIDENTIAL ZONING DISTRICT TO CG-GENERAL COMMERCIAL ZONING DISTRICT on a parcel of land consisting of Lots 1, 2, 3, 4, 5, 17, 18, 19 and 20, Block 1, Sunbeam Park, according to the Plat thereof, as Recorded in Plat Book 14, Page 26, in Section 34, Township 43 South, and range 42 East, located on the northwest corner of the intersection of 64th Avenue North (Sunbeam Avenue) and is bounded on the north by Joseph Street, was denied with prejudice.

Commissioner Watt moved for denial, with prejudice, of the petition. The motion was seconded by Commissioner Marcus and upon being put to a vote, the vote was as follows:

Carol A. Roberts	--	Aye
Carol J. Elmquist	--	Absent
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Absent
Jim Watt	--	Aye

The foregoing resolution was declared duly passed and adopted this 9th day of May, 1989 confirming action of July 29, 1988.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY:

Barbara Ottner
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

Jina A. Blaw
DEPUTY CLERK

