

RESOLUTION NO. R-89- 902

RESOLUTION DENYING ZONING PETITION NO. 88-13
SPECIAL EXCEPTION PETITION OF MOBIL OIL CORPORATION

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, 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. 88-13 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on March 24, 1988, and

WHEREAS, the Board of County Commissioners, pursuant to the criteria set forth in the Zoning Code of Palm Beach County, Florida, Sections 102, 200.2 (Special Exception), 402.2, 610, 500.17L.2, 500.17K, 500.17G and 500.35, 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 and local land development regulations.
2. This site will be only 1/4 acre in size after the right-of-way takings and as designed, can not meet the Zoning Code requirements.
3. This proposal causes dangerous traffic conditions.
4. This proposal is adverse to the public interest.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 88-13, the petition of MOBIL OIL CORPORATION, by Henry Heller, Agent, for a SPECIAL EXCEPTION TO PERMIT AN AUTO SERVICE STATION (NO MAJOR REPAIRS) on a parcel of land lying in Lots 1 and 2, Block "B", Bryant Park in Section 7, Township 44 South, Range 43 East as recorded in Plat Book 20, Page 89, being more particularly described as follows:

Commence at the intersection of the centerline of Congress Avenue

(State Road No. 807), and the centerline of Forest Hill Boulevard (State Road No. 882), as shown on State of Florida Road Department Right-Of-Way Map (Section No. 93690-2601); thence run south 01 degrees 04' 26" East along the centerline of Congress Avenue for 180.09 feet; thence run North 87 degrees 49' 46" West parallel with the centerline of Forest Hill Boulevard for 50.08 feet to a point on the West right-of-way line of said Congress Avenue, said point also being the Point of Beginning of the tract of land hereinafter described; thence continue North 87 degrees 49' 46" West parallel with the centerline of Forest Hill Boulevard for 133.00 feet; thence North 01 degrees 04' 26" West parallel with the centerline of said Congress Avenue for 127.00 feet to a point of the South right-of-way of said Forest Hill Boulevard; thence South 87 degrees 49' 46" East along the said South right-of-way line for 123.55 feet to a point of curvature of a circular curve concave to the Southwest and having for its elements a radius of 10.00 feet and a central angle of 86 degrees 45' 20"; thence run Southeasterly along the arc of said curve for 15.14 feet to a point of tangency; thence South 01 degrees 04' 26" East along the said West right-of-way line for 117.55 feet to the Point of Beginning, located on the southwest corner of the intersection of Forest Hill Boulevard (S.R. 882) and Congress Avenue (S.R. 807), in a CG-General Commercial Zoning District, was denied, without prejudice.

Commissioner Marcus moved for denial, without prejudice, of the petition. The motion was seconded by Commissioner Adams 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
Kenneth M. Adams	--	Aye

The foregoing resolution was declared duly passed and adopted this 23rd day of May, 1989 confirming action of March 24, 1988.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

Rubens A. Thomas
COUNTY ATTORNEY

BY:

June F. Hardy
DEPUTY CLERK

