

RESOLUTION NO. R-89-1171

RESOLUTION DENYING ZONING PETITION NO. 88-93
PETITION OF BOARD OF COUNTY COMMISSIONERS

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. 88-93 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on December 30, 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, in particular Sections 102, 402, and 200.2 (Special Exception), 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. There is a prior existing approval on this property which will be subject to Section 402.9 of the Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 88-93 the petition of THE BOARD OF COUNTY COMMISSIONERS, by Carol Roberts, Chair, for a REZONING FROM CG-GENERAL COMMERCIAL ZONING DISTRICT TO RE-RESIDENTIAL ESTATE ZONING DISTRICT, AND TO REVOKE THE SPECIAL EXCEPTION FOR A PLANNED COMMERCIAL DEVELOPMENT, INCLUDING A LARGE SCALE COMMUNITY SHOPPING CENTER IN EXCESS OF 50,000 SQUARE FEET OF TOTAL FLOOR AREA, A FINANCIAL INSTITUTION WITH FIVE (5) DRIVE-UP TELLER WINDOWS, AND GASOLINE PUMP ISLAND FACILITIES, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 85-176 on a parcel of land lying on Tract 41 and 42, Block 34, Palm Beach Farms Co., Plat No. 3 in Section 31, Township 44 South, Range 42 East, less Road Right-of-way for Lantana Road, as recorded in Plat Book 2, pages 45-54, being located on the northeast corner of the intersection of State Road 7 (U.S. Highway 441) and Lantana Road (SR 812), in a CG-General Commercial Zoning District, was denied with prejudice.

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

Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Absent
Carol Roberts	--	Aye
Ron Howard	--	Aye
Carole Phillips	--	Aye

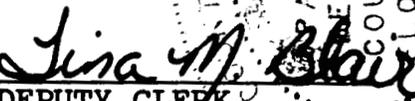
The foregoing resolution was declared duly passed and adopted this 13th day of June, 1989 confirming action of December 30, 1988.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: 
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: 
DEPUTY CLERK

