

RESOLUTION NO. R-2008- 0929.2

RESOLUTION DENYING ZONING APPLICATION TDR-2007-1621
(CONTROL NO. 2007-052)
APPLICATION OF ASACOL LLC

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 Article 2 of the Palm Beach County Unified Land Development Code, have been satisfied; and

WHEREAS, Zoning Application TDR-2007-1621 was presented to the Board of County Commissioners at a public hearing conducted on May 22, 2008; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, the recommendations of the various county review agencies, and the recommendation of the Zoning Commission; and

WHEREAS, the Board of County Commissioners has considered the findings in the staff report and the following findings of fact:

1. This request is not compatible and generally inconsistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
2. Inconsistent with the Town of Haverhill.

WHEREAS, Article 2 of the Palm Beach County Unified 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 Zoning Application TDR2007-1621, the Application of Asacol LLC, by Seminole Bay Land Company Inc., agent, for a Transfer of Development Rights to allow the Transfer of Development Rights for 5 units, to designation this application as the receiving area and to purchase the 5 units at \$1.00 per unit for Workforce Housing, on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was denied on May 22, 2008, with prejudice.

Commissioner Marcus moved for approval of the Resolution.

The motion was seconded by Commissioner Santamaria and, upon being put to a vote, the vote was as follows:

Addie L. Greene, Chairperson	¥	Absent
Jeff Koons, Vice Chair	¥	Aye
Karen T. Marcus	¥	Aye
Robert J. Kanjian	¥	Nay
Mary McCarty	¥	Absent
Burt Aaronson	¥	Absent
Jess R. Santamaria	¥	Aye

The Chairman thereupon declared the resolution was duly passed and adopted on May 22, 2008.

Filed with the Clerk of the Board of County Commissioners on 10 day of June, 2008.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

SHARON R. BOCK,
CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK

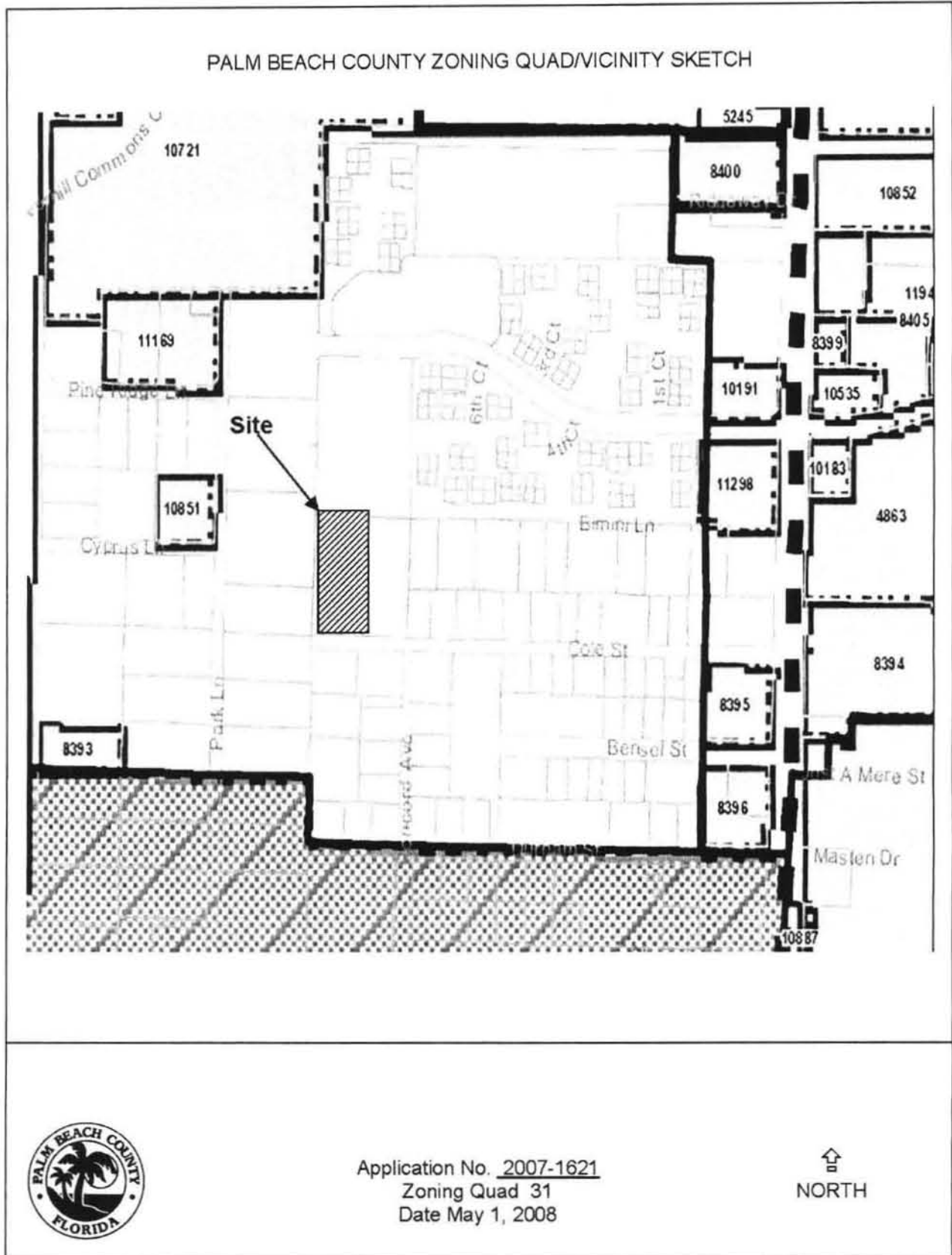


EXHIBIT A
LEGAL DESCRIPTION

Cole Street Villas
Legal Description

South 206 feet of the East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, less East 157.5 feet and the North 141 feet of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, less the east 157.5 feet, Section 25, Township 43 South, Range 42 East, Palm Beach County, Florida.

EXHIBIT B
VICINITY SKETCH



This resolution is effective when filed with the Clerk of the Board of County Commissioners.