

RESOLUTION NO. R-79-1487

RESOLUTION DENYING ZONING PETITION

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. 79-201 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 26 September 1979.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 26th day of September, 1979, that petition No. 79-201 the petition of BRIAN MANTIS by John W. Ewseychik, Jr., Agent, for the REZONING, FROM AG-AGRICULTURAL DISTRICT TO CG-GENERAL COMMERCIAL DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT, INCLUDING A GASOLINE PUMP ISLAND FACILITY on the South 280 feet of the East 1/2 of the East 1/2 of the Southeast 1/4 of the Southeast 1/4; together with the South 280 feet of the East 20 feet of the West 1/2 of the East 1/2 of the Southeast 1/4 of the Southeast 1/4; All lying and being in Section 1, Township 45 South, Range 42 East. Less the South 40.0 feet as right-of-way for Lake Worth Drainage District Canal Lateral 17, Also less the East 40.0 feet as right-of-way for Lawrence Road, and less the North 40 feet of the South 80 feet as right-of-way

for Hypoluxo Road. Said property located at the northwest corner of the intersection of Hypoluxo Road and Lawrence Road, was denied as advertised.

Commissioner Gregory, moved for denial of the petition for the following reasons:

1. The proposed rezoning constitutes 'spot zoning'.
2. The proposed rezoning would not be in harmony with and would not be compatible with the present and future development of the area concerned.
3. The proposed rezoning would not conform to the established character of the area.
4. The proposed use would be disruptive to the character of the neighborhood and adverse to the proposed school.

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

Bill Bailey, Chairman	-	Yes
Dennis Koehler, Vice Chairman	-	Absent
Peggy Evatt, Member	-	Yes
Frank Foster, Member	-	Yes
Norman Gregory, Member	-	Yes

The foregoing resolution was declared duly passed and adopted this 23rd day of October, 1979, confirming action of 26 September 1979.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk—

By: *Rick Van Citteren*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
County Attorney

