

RESOLUTION NO. R- 86-498

RESOLUTION DENYING ZONING PETITION 85-159, Special Exception

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. 85-159 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 3rd January 1986; and

WHEREAS, the Board of County Commissioners 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 Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 3rd of January 1986, that Petition No. 85-159 the petition of ROSACKER PROPERTIES INC., AND CYRENE K. NEWBURY, By David L. Carpenter, Agent, for a SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT, INCLUDING ENCLOSED STORAGE FACILITIES, OFFICE/WAREHOUSE COMBINATION, NURSERY WITH GREENHOUSES, TRUCK RENTAL AND REPAIR FACILITY, AND LARGE SCALE HEAVY EQUIPMENT SERVICE FACILITY on a parcel of land lying in Section 22, Township 46 South, Range 42 East, being more particularly described as follows:

The West 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of said Section 22, together with the Northwest 1/4 of the Northeast 1/4 of the Northeast 1/4 of said Section 22, less the Right-of-way for State Road 806 as laid out and in use. Said

property located on the south side of Delray West Road (S.R. 806) approximately .2 mile east of Carter Road was denied without prejudice as advertised .

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

Ken Adams, Chairman	--	AYE
Karen T. Marcus, Vice Chairman	--	AYE
Kenneth Spillias, Member	--	NAY
Jerry L. Owens, Member	--	AYE
Dorothy Wilken, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 8th day of April, 1986 confirming action of the 3rd January 1986.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara C. Kelly
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
County Attorney