

RESOLUTION NO. R-88-1641

RESOLUTION DENYING ZONING PETITION NO. 87-64
PETITION OF HERBERT N. AND JACQUELINE PREZANT

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. 87-64 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on September 30, 1987; and

WHEREAS, the Board of County Commissioners, pursuant to the criteria set forth in the Zoning Code of Palm Beach County, Florida, 102, 200.2 (Special Exception), 402.2A, 500.13, and 610, 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. The subject property, although non-conforming is below the minimum lot size for a commercial zoning use. A Special Exception to permit a commercial new and used automobile, truck, boat, motorcycle, mobile home, recreational vehicle sale and rental, and repair facilities would not be in harmony with the surrounding uses. The property is too small to ensure compliance with the property development regulations, and a safely functioning site.
2. This proposal is not consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 87-64 the petition of HERBERT N. AND JACQUELINE PREZANT, for a SPECIAL EXCEPTION TO PERMIT A COMMERCIAL NEW AND USED, AUTOMOBILE, TRUCK, BOAT, MOTORCYCLE, MOBILE HOME, RECREATIONAL VEHICLE SALE AND RENTAL AND REPAIR FACILITIES on a parcel of land lying on Lot 10, Grammes Homesites, Section 24, Township 44, Range 42, as recorded in Plat Book 21, Page 91, lessing therefrom

the South 15.0 feet for road Right-Of-Way, located on the north side of 10th Avenue North approximately .1 miles east of Military Trail (SR 809) in a CG-General Commercial Zoning District, was denied, with prejudice.

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

Carol A. Roberts	--	Absent
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Absent
Kenneth M. Adams	--	Nay

The foregoing resolution was declared duly passed and adopted this 4th day of October, 1988 confirming action of September 30, 1987.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

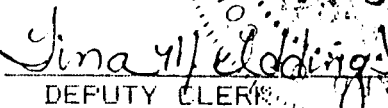
BY:


COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKEE, CLERK

BY:


DEPUTY CLERK

