

RESOLUTION NO. R-89 -630

RESOLUTION DENYING ZONING PETITION NO. 88-40
SPECIAL EXCEPTION PETITION OF ARTHUR CARUANA

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. 88-40 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on April 28, 1988; and

WHEREAS, the Board of County Commissioners, pursuant to the criteria set forth in the Zoning Code of Palm Beach County, Florida, Sections 102, 200.2 (Special Exception), 402.2(A) and 500.12, 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. The intensity of a 100 child day care center on this 1.98 acre site is not appropriate for the existing established residential development.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 88-40 the petition of ARTHUR CARUANA, by Beril Kruger, Agent, for a SPECIAL EXCEPTION TO PERMIT A CHILD DAY CARE CENTER on a parcel of land lying in Section 25, Township 47 South, Range 41 East, being more particularly described as Parcel "B", Holiday City at Boca Raton, Section 2, in Plat Book 30, page 118, being located on the south side of Palmetto Park Road, approximately .1 mile west of State Road 7 (U.S. Highway 441), in a RS-Single Family Residential Zoning District, was denied with prejudice.

Commissioner Wilken 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:

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

The foregoing resolution was declared duly passed and adopted this 4th day of April, 1989 confirming action of April 28, 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

