

RESOLUTION NO. R-89- 763

RESOLUTION DENYING ZONING PETITION NO. 86-94(A)
SPECIAL EXCEPTION PETITION OF
FLORIDA MU CHAPTER PHI DELTA KAPPA, INC.

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. 86-94(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on October 29, 1987; and

WHEREAS, the Board of County Commissioners, pursuant to the criteria set forth in the Zoning Code of Palm Beach County, Florida, Sections 402.7 and 500.9, 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 the use is such as to require a minimum of five acres in order to buffer the impacts of this use from the adjacent single family residential uses. It is not in harmony with the adjoining residential uses.
3. The proposed use is adverse to the public interest

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 86-94(A), the petition of FLORIDA MU CHAPTER PHI DELTA KAPPA, INC., by Dennis P. Koehler, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN AND MODIFICATION OF COMMISSION REQUIREMENTS FOR A RECREATIONAL FACILITY AND CLUB, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 86-94 ON AUGUST 29, 1986 (RESOLUTION NO. R-87-221, ADOPTED FEBRUARY 10, 1987) TO DELETE 1.75 ACRES, on a parcel of land lying on the West 299.69 feet of the South 374.29 feet of Tract 84 and the West 299.69 feet of Tract 109, all in Block 32, Palm Beach Farms Company, Plat No. 3, as recorded in

Plat Book 2, Pages 45 through 54 inclusive: less the following described parcel:

A certain parcel of land in Section 33, Township 44 South, Range 42 East, being more particularly described as follows:

The South 254.35 feet of the West 299.69 feet of Tract 109, Block 32 of Palm Beach Farms Company, Plat No. 3, as recorded in Plat Book 2, Pages 42 through 54, inclusive, located on the east side of Bentbrook Boulevard, approximately 254 feet north of Lantana Road, 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 Elmquist and upon being put to a vote, the vote was as follows:

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

The foregoing resolution was declared duly passed and adopted this 25th day of April, 1989 confirming action of October 29, 1987.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

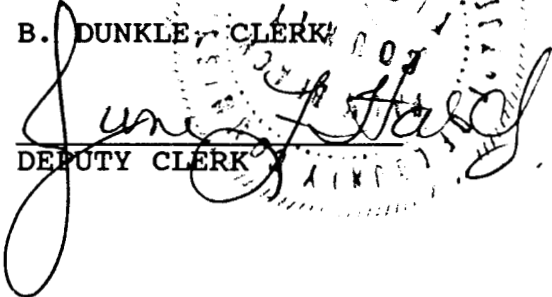
BY:


COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


DEPUTY CLERK