

RESOLUTION NO. R-89- 766

RESOLUTION DENYING ZONING PETITION NO. 87-94
SPECIAL EXCEPTION PETITION OF JOSEPH NASTAZIO

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. 87-94 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, Section 500.32, 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. This proposed use is not in character and harmony with the development and uses in the area, including infrastructure and the provision of public services.
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. 87-94, the petition of JOSEPH NASTAZIO, by Kevin McGinley, Agent, for a SPECIAL EXCEPTION TO ALLOW AN ADULT CONGREGATE LIVING FACILITY on a parcel of land lying in Section 13, Township 44 South, Range 40 East, being more particularly described as follows:

Commencing at the Northeast Corner of said Section 13; thence, run South 01 degrees 18' 22" West, along the East line of said Section 13, a distance of 2406.27 feet to the Point of Beginning:

Thence, continue South 01 degrees 18' 22" West, along said East

line, a distance of 300.00 feet: thence, South 89 degrees 43' 57" West, a distance of 801.15 feet: thence, North 60 degrees 31' 23" West, a distance of 136.07 feet: thence North 01 degrees 18' 22" East, parallel with the East line of said Section 13, a distance of 232.46 feet; thence, North 89 degrees 43' 57" East, a distance of 921.15 feet to the point of beginning, located on the west side of Rustic Ranch Trail, approximately 2.5 miles south of Southern Boulevard (S.R. 80), in an AR-Agricultural 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

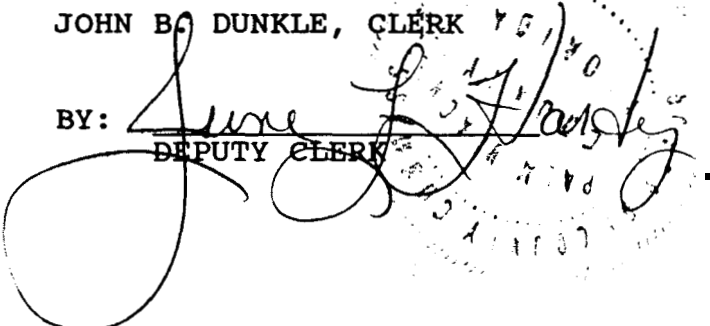
BY :


COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


DEPUTY CLERK