

RESOLUTION NO. R-89-900

RESOLUTION DENYING ZONING PETITION NO. 88-2
SPECIAL EXCEPTION PETITION OF MARY A. AND RICHARD D. REMLEY

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. 88-2 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on February 29, 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, and 500.37, 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 proposal does not provide adequate information on the character of the facility and the intent of the petitioners.
3. This proposal is not consistent with the character of the present residential development in this area.
4. This proposal is adverse to the public interest.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PAM BEACH COUNTY, FLORIDA, that Petition No. 88-2, the petition of MARY A. AND RICHARD D. REMLEY, Mary A. Remley, Agent, for a SPECIAL EXCEPTION TO PERMIT AN ADULT CONGREGATE LIVING FACILITY on a parcel of land lying in Section 16, Township 41 South, Range 41 East, more particularly described as follows:

From the Northwest corner of said Section 16, bear South 00 degrees 06' 05" West along the West line of Section 16, a distance of 1,056.40 feet; thence South 89 degrees 58' 38" East a

distance of 100 feet to the Point of Beginning: thence continue on a bearing of South 89 degrees 58' 38" East a distance of 309.92 feet: thence South 00 degrees 01' 22" West a distance of 239 feet: thence North 89 degrees 58' 38" West a distance of 310.25 feet: thence North 00 degrees 06' 05" East a distance of 239 feet to the Point of Beginning, located on the south side of 158th Street North, approximately .3 mile west of 136th Terrace North, in an AR-Agricultural Residential Zoning District, was denied, with prejudice.

Commissioner Marcus 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	--	Abstained
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Absent
Kenneth M. Adams	--	Aye

The foregoing resolution was declared duly passed and adopted this 23rd day of May, 1989 confirming action of February 29, 1988.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

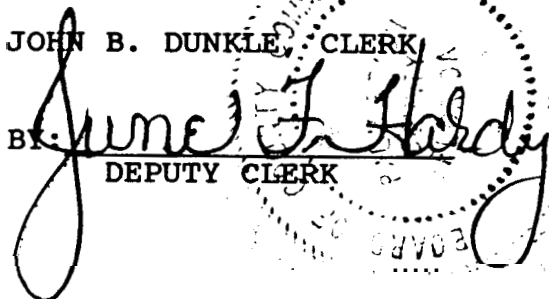
BY :


COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY :


DEPUTY CLERK