

RESOLUTION NO. R-89-1264

RESOLUTION DENYING ZONING PETITION NO. 89-16
PETITION OF LANCE S. UHLEY, TRUSTEE

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. 89-16 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on March 9, 1989; 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) and 402.5, 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 is not consistent with the present and future land uses of the area and is not an appropriate use in this location.
3. This proposal is not consistent with the existing residential development in the AR zone.
4. This proposal is adverse to the public health, safety, and welfare.
5. This proposal is not compatible with future development, according to the Comprehensive Land Use Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 89-16 the petition of LANCE S. UHLEY, TRUSTEE, by Kieran J. Kilday, Agent, for a SPECIAL EXCEPTION TO PERMIT PUBLIC AND PRIVATE UTILITY SERVICES (INCINERATOR/AIR CURTAIN BURNER) on a parcel of land lying in Section 27, Township 43 South, Range 42, East, on that part of Tract 25 and 26, less the North 242.99 feet thereof, and all of Tract 32, Block 35, according to the Plat of Palm Beach Farms Company Plat No. 3, recorded in Plat Book 2, page 48, lying West of the Right-of-way for State Road No. 7, as shown in Road Plat Book 1, page 40, less the East 300.00 feet

thereof, being located on the north side of Lantana Road Extension, approximately 400 feet west of US 441 (SR 7), in an AR-Agricultural Residential Zoning District, was denied with prejudice.

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

Carol J. Elmquist, Chair	--	Aye
Ron Howard	--	Aye
Karen T. Marcus	--	Aye
Carole Phillips	--	Aye
Carol Roberts	--	Absent

The foregoing resolution was declared duly passed and adopted this 27th day of June, 1989 confirming action of March 9, 1989.

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