

RESOLUTION NO. R-90-69

RESOLUTION DENYING ZONING PETITION NO. 89-17
PETITION OF JACQUELINE C. WINCHESTER

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 have been satisfied; and

WHEREAS, petition NO. 89-17 was presented to the Board of County commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on July 27, 1989; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, pursuant to the criteria set forth in the Zoning Code of Palm Beach County, Florida, Sections 102, 200.2 (Special Exception), 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, sitting as the Zoning Authority, 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 development of the area and not an appropriate use in this location.
3. This proposed use is too intense for the character of the surrounding area.
4. This project fronts on a local residential road and is not an appropriate use for this property.

WHEREAS, 402.5 of the Zoning Code requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 89-17 the petition of JACQUELINE C. WINCHESTER, by George K. Wasser, Agent, for a SPECIAL EXCEPTION TO PERMIT AN AUTO SERVICE STATION (WITH MAJOR REPAIRS) on a parcel of land lying on a portion of the Palm Beach Farms Company Plat No. 8 of Section 30, Township 45 South, Range 43 East, Plat Book 5, page 73; Commencing at the Northwest corner of said Section 30, thence on an assumed bearing of South 89 degrees 59'43" East along the North line of said Section 30, a distance of 657.83 feet to a point, said point also being the intersection of said North line of Section 30 with the Centerline of a 30.00 foot roadway; thence South 01 degree 50'03" West along said Centerline, a distance of 60.02 feet to a point on the South right-of-way line of Lake Worth Drainage District Lateral No. 24, said point also being the Point of Beginning; thence

continue South 01 degree 50'03" West along said Centerline, a distance of 156.46 feet to a point on the North right-of-way line of State Road No. 804; thence South 89 degrees 59'57" East along said North right-of-way line, a distance of 658.27 feet to a point of intersection with the Centerline of a 30.00 foot roadway; thence North 01 degree 42'07" East along said Centerline, a distance of 156.40 feet to a point of aforesaid South right-of-way of Lake Worth Drainage District Lateral No. 24; thence North 89 degrees 59'43" West along said South right-of-way line, being 60.00 feet South of, as measured at right angles, aforesaid North line of Section 30, a distance of 657.91 feet to the Point of Beginning, being located on the north side of Boynton Beach Boulevard (SR 804), approximately .16 mile east of Lawrence Road in a CS-Specialized Commercial Zoning District, was denied on July 27, 1989, with prejudice.

Commissioner Marcus moved for approval of the Resolution.

The motion was seconded by Commissioner Roberts 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	--	AYE

The Chair thereupon declared the resolution was duly passed and adopted this 2nd day of January, 1990.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Richard Altman*
COUNTY ATTORNEY

BY: *Jina M. Blair*
DEPUTY CLERK

