

RESOLUTION NO. R-90-2149

RESOLUTION DENYING THE REZONING OF  
ZONING PETITION NO. 87-49(A)  
PETITION OF BOARD OF COUNTY COMMISSIONERS

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. 87-49(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on February 22, 1990; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, pursuant to the Zoning Code of Palm Beach County, Florida, Sections 102 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, sitting as the Zoning Authority, made the following findings of fact:

1. This proposal, although consistent with the requirements of the Comprehensive Plan and local land development regulations, is premature and may be initiated by an applicant at a later date.
2. This proposal is not consistent with the present and future development of the area and not an appropriate use in this location at this time.

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. 87-49(A), the petition of THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, for a REZONING FROM AR-AGRICULTURAL RESIDENTIAL ZONING DISTRICT TO RM-MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICT on a parcel of land lying on the Northwest 1/4 of the Southeast 1/4 of Section 29, Township 42 South, Range 37 East; (Note: East Beach Water Control District claims prescriptive rights over the West 44.00 feet of the Northwest 1/4 of the Southeast 1/4 of said Section 29, for Canal and Maintenance Easements), was denied on February 22, 1990, with prejudice.

Commissioner Elmquist moved for approval of the Resolution.

The motion was seconded by Commissioner McCarty and, upon being put to a vote, the vote was as follows:

Karen T. Marcus, Chair	--	Aye
Carole Phillips, Vice-Chair	--	Aye
Carol A. Roberts	--	Absent
Carol J. Elmquist	--	Aye
Mary McCarty	--	Aye
Ken Foster	--	Aye
Maude Ford Lee	--	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 11th day of December, 1990.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. CUNKLE, CLERK

BY:

  
COUNTY ATTORNEY

BY:

  
DEPUTY CLERK

