

ORIGINAL

RESOLUTION NO. R-92- 1100

RESOLUTION DENYING ZONING PETITION NO. 91-56(A)
REZONING PETITION OF LENNAR HOMES

20 11 92

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. 91-56(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its Public Hearing conducted on April 23, 1992; 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 (sometimes 200.2 if Special Exception), 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.

WHEREAS, Chapter 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. 91-56(A), the petition of LENNAR HOMES, BY JULIAN BRYAN, AGENT, for a REZONING FROM RS TO CC on a parcel of land situated on a portion of Tracts "B", "D", "G", and "L1" of the plat entitled "THE BABCOCK P.U.D. - PARCEL "C", as recorded in Plat Book 61 at Pages 198 through 200, being more particularly described as follows: BEGINNING at the Northwest corner of said Tract "G"; thence South 01°24'09" East, along the westerly line of said Tract "G", a distance of 218.74 feet; thence North 89°22'39" East, a distance of 353.72 feet to a point lying on the westerly line of Tract "A" of said plat; thence North 23°13'41" East, a distance of 77.42 feet to the point of curvature of a circular curve to the left; thence northerly along the arc of said curve, having a radius of 100.00 feet and a central angle of 25°06'29", a distance of 43.82 feet to the point of tangency; thence North 01°52'47" West, a distance of 80.82 feet; thence North 45°42'15" West, a distance of 35.36 feet to a point lying on the northerly line of said Tract "G" (the last four (4) described courses being coincident with the westerly line of said Tract "A"); thence South 89°18'07" West, along said northerly line, a distance of 369.72 feet to the POINT OF BEGINNING, and being located ON THE S SIDE OF WEST ATLANTIC AVE.,

BOUND ON THE W BY FLORIDA'S TURNPIKE, AND ON THE S BY BABCOCK PUD,
was denied on April 23, 1992, with prejudice.

Commissioner Roberts moved for approval of the Resolution.

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

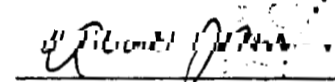
Karen T. Marcus, Chair	--	Aye
Carole Phillips	--	Aye
Carol A. Roberts	--	Aye
Carol J. Elmquist	--	Aye
Mary McCarty	--	Absent
Ken Foster	--	Aye
Maude Ford Lee	--	Aye

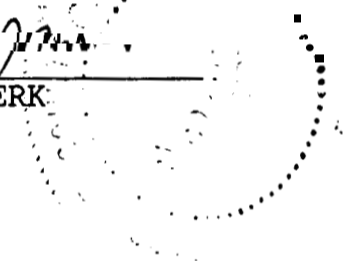
The Chair thereupon declared the resolution was duly passed and adopted this 18th day of August, 1992.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

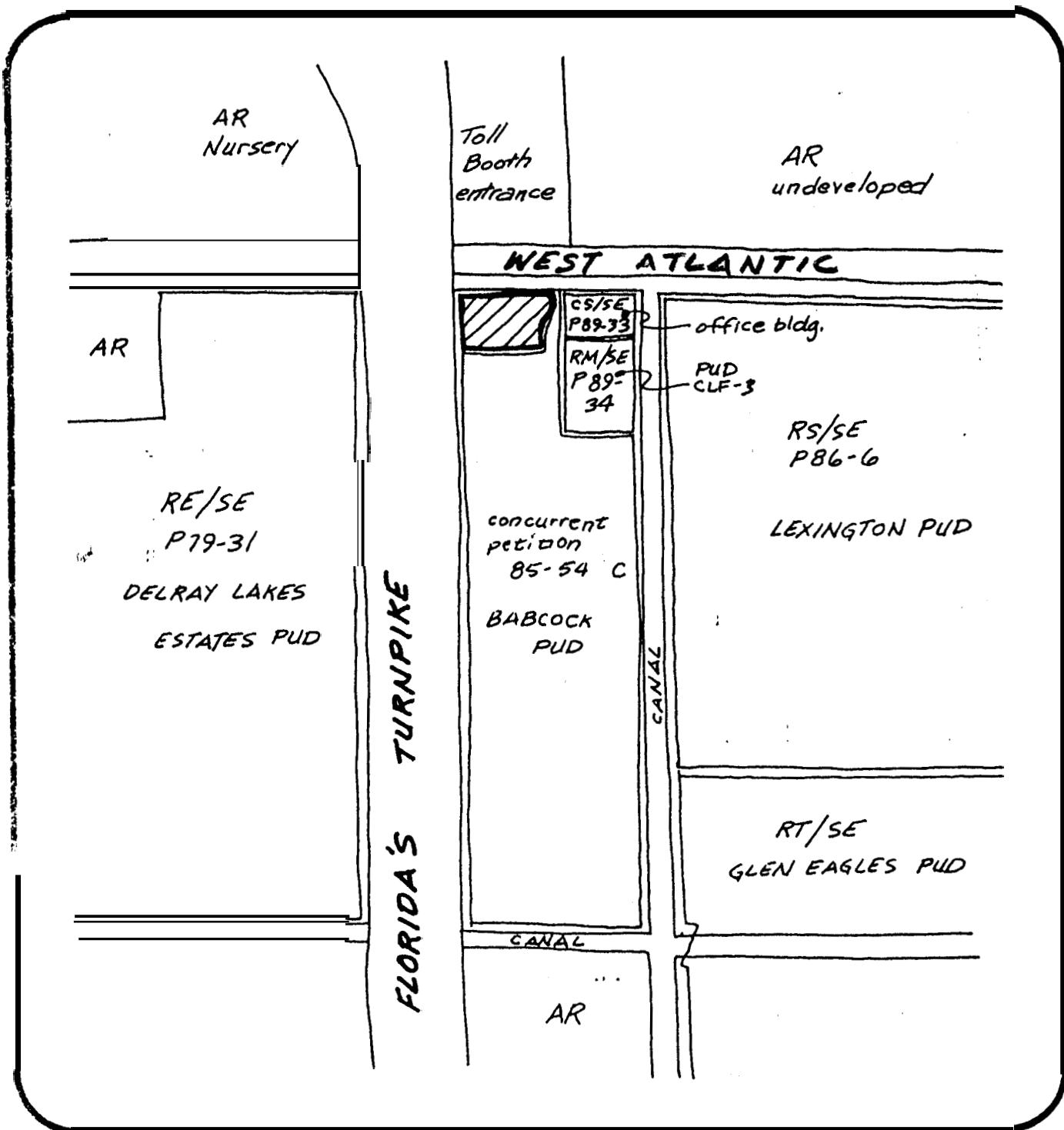
BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK



Sec. 20 Twp. 46 Rng. 42
Quadrant Sheet: 52
Aerial Page: 324 9,346

Vicinity Sketch



Request:

REZONING: RS TO CC. SPECIAL EXCEPTION: FOR A SERVICE STATION, WITH CONVENIENCE STORE AND CAR WASH, AND A FAST FOOD RESTAURANT WITH DRIVE-THRU SERVICE WINDOW.

PETITION NO: 91-56 (A)

BCC DISTRICT: 5