

RESOLUTION NO. R-79-1488

RESOLUTION DENYING ZONING PETITION

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, 79-213 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 26 September 1979.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the **26th** day of September, 1979, that petition No. 79-213 the petition of CHARLES W. PENLAND by William P. Jacobson, Attorney, for a SPECIAL EXCEPTION TO ALLOW A COMMERCIAL NEW AND USED AUTOMOBILE AND RECREATION VEHICLE SALES on Lots 1 & 2 as one, less the East 3.0 feet thereof, according to the plat of AURORA ESTATES, in Section 1, Township 44 South, Range 42 East, as recorded in Plat Book 23, page 203. Said property located on the west side **05** Military Trail (S.R. 809), approximately .1 mile south of the intersection of Military Trail (S.R. 809) and Gun Club Road in a CG-General Commercial District, was denied as advertised.

Commissioner **Evatt**, moved for denial of the petition for the following reasons:

1. The proposed use would generate excessive noise to abutting residences and excessive traffic on Perth Road.
2. The proposed use would be disruptive to the character of the abutting residential neighborhood.

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

Bill Bailey, Chairman	-	Yes
Dennis Koehler, Vice Chairman	-	Absent
Peggy Evatt, Member	-	Yes
Frank Foster, Member	-	Yes
Norman Gregory, Member	-	Yes

The foregoing resolution was declared duly passed and adopted this **23d** day of October , 1979, confirming action of 26 September 1979.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk,.,

By: 

Deputy Clerk

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

  
County Attorney

