

RESOLUTION NO. R- 85-334

RESOLUTION DENYING ZONING PETITION **84-176**, Special Exception

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. **84-176** was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the **29th** of November **1984**; and

WHEREAS, the Board of County Commissioners 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 inconsistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, **BE** IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the **29th** of November **1984**, that Petition No. **84-176** the petition of DEBORAH HENRIKSEN AND RUTHANNE ROGALNY for a SPECIAL EXCEPTION **TO** ALLOW A CHILD DAY CARE CENTER on the West **160** feet of Lot **11**, Block **3**, Lakewood Gardens, Plat No. **1**, Section **19**, Township **44** South, Range **43** East, as recorded in Plat Book **18**, Page **38**, less however the South **313.92** feet thereof, **and** also less however the North **30** feet and the East **40** feet thereof for road purposes. Said property located on the south side of Canal **No. 11** Road, approximately **312** feet east of Kirk Road and being bounded on the west by a **40** foot unnamed road in an RM-Residential Multiple Family District (Medium Density) was denied as advertised.

Commissioner Owens, moved for denial of the

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

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|--------------------------------|----|--------|
| Ken Spillias, Chairman | -- | ABSENT |
| Dorothy Wilkens, Vice Chairman | -- | AYE |
| Karen T. Marcus, Member | -- | ABSENT |
| Jerry L. Owens, Member | -- | AYE |
| Kenneth M. Adams, Member | -- | AYE |

The foregoing resolution was declared duly passed and adopted this day of **FEB 19 1985** confirming action of the 29th of November 1984.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Patricia S. Weaver
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Sandy Spangue
County Attorney