

RESOLUTION NO. R- 85-1973

RESOLUTION DENYING ZONING PETITION 85-128, 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. 85-128 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 9th October 1985; 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 9th of October 1985, that Petition No. 85-128 the petition of FEDERATED REALTY, INC., By William R. Boose, 111, Attorney, for a SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT on a parcel of land being all of Tracts 9 and 10, Together with a portion of Tracts 11, 22, 23 and 24, Together with a portion of that certain 15 foot road Right-of-way lying Easterly of and Adjacent to Tracts 9 and 24, all in Section 21, Township 46 South, Range 42 East, Palm Beach Farms Company, Plat No. 1, as recorded in Plat Book 2, pages 26 through 28, inclusive; Said parcel of land being more particularly described as follows: Commencing at the North 1/4 corner of said Section 21; Thence, bear South 01 degrees 54'12" East, along the East line of the Northwest 1/4 of said

Section 21, a distance of 30.01 feet for a Point Of Beginning; Thence, continue South 01 degrees 54'12" East, along said line, a distance of 759.30 feet; Thence, South 89 degrees 18'22" West, a distance of 989.60 feet; Thence, North 00 degrees 41'38" West, a distance of 706.39 feet to the Southerly Right-of-way line of Lake Worth Drainage District L-34 Canal, as recorded in Deed Book 113, page 76; Thence, North 89 degrees 22'49" East, along said Right-of-way line, a distance of 297.14 feet to the intersection thereof with the West line of said Tract 10; Thence, North 00 degrees 53'48" West, along the West line of said Tract 10, a distance of 54.01 feet to the Northwest corner of said Tract 10; Thence, North 89 degrees 22'49" East, along the North line of said Tracts 9 and 10 and its Easterly Prolongation, a distance of 677.56 feet to the Point Of Beginning. Said property located on the southwest corner of the intersection of Delray West Road (S.R. 806) and Hagan Ranch Road, also being bounded on the north by L.W.D.D. Lateral Canal No. 34 was denied as advertised.

Commissioner Spillias, moved for denial of the petition. The motion was seconded by Commissioner Wilken, and upon being put to a vote, the vote was as follows:

Ken Adams, Chairman	--	AYE
Karen T. Marcus, Vice Chairman	--	NAY
Kenneth Spillias, Member	--	AYE
Jerry L. Owens, Member	--	ABSENT
Dorothy Wilken, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 3rd day of December 1985 confirming action of the 9th October 1985.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Linda C. Heckman
 Deputy Clerk



APPROVED AS TO FORM
 AND LEGAL SUFFICIENCY

Randy Sprague
 County Attorney

FILED THIS DAY OF
 DEC. 03, 1985 19
 AND RECORDED IN
 MINUTE BOOK NO. AT
 PAGE RECORD VERIFIED
 JOHN B. DUNKLE, CLERK
 BY L.M. D.C.