

RESOLUTION NO. R- 86-769

RESOLUTION DENYING ZONING PETITION 85-159(A), 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. 85-159(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 27th March 1986; 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 not consistent 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 27th of March 1986, that Petition No. 85-159(A) the petition of ARTHUR AND BARBARA ROSACKER, MILDRED ROSACKER, WILLIAM ROBINSON AND WILLIAM TINNERMAN, By David Carpenter, Agent, for a SPECIAL EXCEPTION TO ALLOW AN ENCLOSED STORAGE FACILITY, INCLUDING A WHOLESALE NURSERY on a parcel of land lying in Section 22, Township 46 South, Range 42 East, being more particularly described as follows :

The Northwest 1/4 of Northeast 1/4, of the Northeast 1/4, subject to State and County and Lake Worth Drainage District taxes subsequent to the 1944 levies.

Excepting therefrom a strip of land forty (40) feet in width on each side of the Center Line of the County Road.

Subject to right-of-way for Delray West Road. Said property located on the south side of Delray West Road (S.R. 806), approximately .2 mile east of Carter Road was denied with prejudice 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:

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

The foregoing resolution was declared duly passed and adopted this 27th day of May, 1986 confirming action of the 27th March 1986.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara Oldy
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Andy Sprague
County Attorney