

RESOLUTION NO. R-88-1238

RESOLUTION DENYING ZONING PETITION NO. 77-13(F)  
SPECIAL EXCEPTION PETITION OF BOCA GREENS ASSOCIATES

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. 77-13(F) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on July 24, 1987; and

WHEREAS, the Board of County Commissioners pursuant to the criteria set forth in the Zoning Code of Palm Beach County, Florida, Sections 102, 200.2 (Special Exception), 402.2A and 500.21 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 local land development regulations.
2. The proposed Special Exception is not in harmony and compatible with the present and future development in the area, and, if approved, would be adverse to the public interest.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 77-13(F) the petition of BOCA GREENS ASSOCIATES, for a SPECIAL EXCEPTION TO AMEND THE MASTER PLAN FOR A PLANNED UNIT DEVELOPMENT PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 77-13 ON JANUARY 27, 1977 (R-77-145, ADOPTED FEBRUARY 8, 1977 AND R-77-375, ADOPTED APRIL 12, 1977), ZONING PETITION NO. 77-154 ON OCTOBER 27, 1977, (R-77-1250, ADOPTED NOVEMBER 8, 1977), ZONING PETITION NO. 77-13(A) ON JUNE 23, 1983 (R-83-1085, ADOPTED SEPTEMBER 13, 1983), ZONING PETITION NO. 77-13(B) ON JANUARY 24, 1985 (R-85-703, ADOPTED MAY 7, 1985) AND ZONING PETITION NO. 77-13(D) ON MAY 5, 1986, (R-86-847, ADOPTED JUNE 10, 1986), TO INCLUDE TANK STORAGE OF POOL CHEMICALS AS AN ACCESSORY TO A HARDWARE, PAINT, AND GARDEN SUPPLIES STORE on all of Boca Greens Commercial, in

Petition No. 77-13(F)

BOOK 0721 PAGE 256

Page 1

RECORDER'S MEMO: Legibility  
of Writing, Typing or Printing  
unsatisfactory in this document  
when received

Section 12, Township 47 South, Range 41 East, as recorded in Plat Book 40, Pages 74 and 75, located on the west side of US Highway 441 (SR 7) approximately 25 feet north of Kimberly Boulevard, in a CG-General Commercial Zoning District, was denied, with prejudice.

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

|                   |    |        |
|-------------------|----|--------|
| Carol A. Roberts  | -- | Absent |
| Carol J. Elmquist | -- | Aye    |
| Karen T. Marcus   | -- | Absent |
| Dorothy Wilken    | -- | Aye    |
| Kenneth M. Adams  | -- | Aye    |


The foregoing resolution was declared duly passed and adopted this 9th day of August, 1988 confirming action of July 24, 1987.

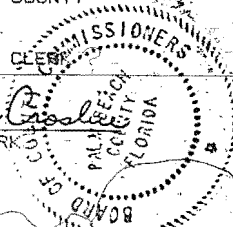
APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY:   
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:   
DEPUTY CLERK



R88 1238