

RESOLUTION NO. R-88-1239

RESOLUTION DENYING ZONING PETITION NO. 80-66(C)
PETITION OF THE BOARD OF COUNTY COMMISSIONERS

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 16.3 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. 80-66(C) 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, 402.9, 500.12 and 610 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. Although this proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations, the previous approval is also consistent with the requirements of the Comprehensive Plan and local land development regulations, including Section 402.9 of the Zoning Code and the conditions of the previous approval have been satisfied.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 80-66(C), the petition of THE BOARD OF COUNTY COMMISSIONERS, by CAROL ROBERTS, CHAIR, to REVOKE A SPECIAL EXCEPTION FOR A CHILD DAY CARE CENTER, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 80-66(B) ON OCTOBER 3, 1984 (R-85-464, ADOPTED MARCH 19, 1985) on the Southwest 1/4 of the Northwest 1/4 of the Southwest 1/4 of Section 1, Township 46 South, Range 42 East, LESS, however, the North 495.0 feet and the East 159.83 feet thereof, as measures at right angles to the boundary lines of the said Southwest 1/4 of the Northwest 1/4 of the Southwest 1/4 and LESS the Right-of-Way for Coconut Road and Military Trail (SR 809). And together with a part of the Southwest 1/4 of the Northwest 1/4 of the Southwest 1/4 of Section 1, Township 46 South, Range 42 East, and more particularly described as the South 330 feet of the North 495 feet of said Southwest 1/4 of the Northwest 1/4 of the Southwest

1/4 of Section 1, Township 46 South, Range 42 East, except that part lying in Military Trail (being State Road 809) and also except the Easterly 159.83 feet of the South 50 feet thereof, located on the Northeast corner of the intersection of Military Trail (SR 809) and Coconut Lane in, a CG-General Commercial Zoning District, was denied, without prejudice.

Commissioner Wilken, moved for denial, without prejudice, of the petition. The motion was seconded by Commissioner Marcus, and upon being put to a vote, the vote was as follows:

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

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

