

RESOLUTION NO. R-88-1640

RESOLUTION DENYING ZONING PETITION NO. 87-47
PETITION OF GEORGE T. KOVIE AND H. WAYNE TUCKER

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. 87-47 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on September 28, 1987; 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 local land development regulations.
2. The subject property, although non-conforming, is below the minimum lot size for a commercial zoning use. A commercial zoning would not be in harmony with the surrounding uses. The property is too small to ensure compliance with the property development regulations, and a safely functioning site.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 87-47 the petition of GEORGE T. KOVIE AND H. WAYNE TUCKER, for a REZONING, FROM RM-MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICT (MEDIUM DENSITY) TO CG-GENERAL COMMERCIAL ZONING DISTRICT WITH A CONCURRENT SPECIAL EXCEPTION TO ALLOW A COMMERCIAL NEW AND USED AUTOMOBILE, TRUCK, BOAT, MOTORCYCLE, MOBILE HOME, RECREATIONAL VEHICLE, SALES, RENTAL AND REPAIR FACILITIES AND LOTS on all of Lot 13, Lake Park Manor, in Section 17, Township 42 South, Range 43 East, as recorded in Plat Book 24, Page 91. The property is located on the southeast corner of the intersection of State Road A1A and Lorraine Court, was denied, with prejudice.

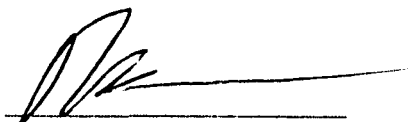
Commissioner Marcus, moved for denial, with prejudice, of the petition. The motion was seconded by Commissioner Wilken, and upon being put to a vote, the vote was as follows:

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

The foregoing resolution was declared duly passed and adopted this 4th day of October, 1988 confirming action of September 28, 1987.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY:


COUNTY ATTORNEY

FALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE,
CLERK

BY:


DEPUTY CLERK

