

RESOLUTION NO. R-89- 768

RESOLUTION DENYING ZONING PETITION NO. 73-166(A)  
SPECIAL EXCEPTION PETITION OF RENEE B. BUTLER

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. 73-166(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on October 29, 1987; and

WHEREAS, the Board of County Commissioners, pursuant to the criteria set forth in the Zoning Code of Palm Beach County, Florida, Section 500.12, 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. This proposed use would be extremely intense, given that the site is 0.32 acres.
3. The proposed use is adverse to the public interest.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 73-166(A), the petition of RENEE B. BUTLER, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A DAY CARE CENTER PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 73-166 ON JANUARY 4, 1974 (RESOLUTION NO. R-74-54 ADOPTED ON JANUARY 19, 1974) TO: 1) INCREASE THE CHILD CAPACITY: AND 2) TO INCREASE THE SQUARE FOOTAGE on a parcel of land lying in Lots 44 and 45 Sky Ranch in Section 1, Township 44 South, Range 42 East as recorded in Plat Book 21 Page 64, located on the northwest corner of the intersection of Tellin Avenue and Neptune Street, in a RM-Multiple Family Residential Zoning District, was denied, with prejudice.

Commissioner Elmquist moved for denial, with 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   | -- | Aye    |
| Dorothy Wilken    | -- | Aye    |
| Kenneth M. Adams  | -- | Aye    |

The foregoing resolution was declared duly passed and adopted this 25th day of April, 1989 confirming action of October 29, 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