

RESOLUTION NO. R-89-769

RESOLUTION DENYING ZONING PETITION NO. 87-120
REZONING PETITION OF POLTROP AND ANTRY, INC.

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. 87-120 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 401.1 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 intensity of the use is such as to require a minimum of five acres in order to buffer the impacts of this use from the adjacent single family residential uses. It is not in harmony with the adjoining residential uses.
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. 87-120, the petition of POLTROP AND ANTRY, INC., by Beril Kruger, Agent, for a REZONING FROM AR-AGRICULTURAL RESIDENTIAL ZONING DISTRICT TO RT-RESIDENTIAL TRANSITIONAL ZONING DISTRICT on a parcel of land lying in that part of Tract 11, Block 81, Palm Beach Farms Company Plat No. 3 in Section 30, Township 47 South, Range 42 East as recorded in Plat Book 2, Page 53 described as follows:

Commencing at the Northwest corner of said Tract 11, thence South 0⁰ degrees 01' 40" West, along the West line of said Tract 11,

306.34 feet to the Point of Beginning: thence North 90 degrees 00' 00" East, 189.99 feet; thence North 06 degrees 08' 47" East, 32.18 feet; thence North 85 degrees 40' 19" East, 137.08 feet to the East line of said Tract 11; thence South 00 degrees 01' 40" West, along said East Line , 396.00 feet to the Southeast corner of said Tract 11; thence South 90 degrees 00' 00" West, along the South line of said Tract 11, 330.10 feet to the Southwest corner of said Tract 11; thence North 00 degrees 01' 40" East, along the said West line of Tract 11, 353.66 feet to the Point of Beginning. TOGETHER WITH that part of Tract 11, Block 81, Palm Beach Farms Company Plat No. 3 in Section 30, Township 47 South, Range 42 East as recorded in Plat Book 2, Page 53.

Beginning at the Northwest corner of said Tract 11, thence South 00 degrees 01' 40" West, along the West line of said Tract 11, 306.34 feet: thence North 90 degrees 00' 00" East, 189.99 feet; thence North 60 degrees 08' 47" East, 32.18 feet; thence North 85 degrees 40' 19" East, 137.08 feet to the East line of said Tract 11; thence North 00 degrees 01' 40" East, along said East line, 264.00 feet to the Northeast corner of said Tract 11; thence North 90 degrees 00' 00" West, along the North line of said Tract 11, 330.10 feet to the said Point of Beginning, located on the south side of the proposed Palmetto Park Road (Pondwood Road), approximately .3 mile east of State Road 7 (U.S. 441), 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	--	Nay
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 :

Richard A. Steiner
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *June Hardy*
DEPUTY CLERK

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