

RESOLUTION NO. R-89- 845

RESOLUTION DENYING ZONING PETITION NO. 88-52
PETITION OF ANNEMARIE H. HARRIS

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. 88-52 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on June 23, 1988, 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), 402.2, 602 and 500.35, 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 proposal is not compatible with the established and future development potential of the surrounding residential area.
3. This proposed use of a kennel is commercial in nature and too intense for this location.
4. This proposal would create noise and smell factors inconsistent with a residential area.
5. This project is on a nonconforming lot and does not meet minimum lot size established for the Agricultural Residential Zoning District and is substandard for commercial development.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 88-52, the petition of ANNEMARIE H. HARRIS, by Paul Parker, Agent, for a SPECIAL EXCEPTION TO ALLOW A COMMERCIAL KENNEL on a

parcel of land lying in Lot 101, Block 32, Palm Beach Farms Company, Plat No. 3, in Section 33, Township 44 South, Range 42 East, as recorded in Plat Book 2, pages 45-54, less the East 20 feet thereof, being located on the northwest corner of the intersection of Lantana Road (SR 812) and Colbright Road, in an AR-Agricultural Residential Zoning District, 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
Jim Watt	--	Absent

The foregoing resolution was declared duly passed and adopted this 9th day of May, 1989 confirming action of June 23, 1988.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK

