

RESOLUTION NO. R-89- 1450

RESOLUTION DENYING ZONING PETITION NO. 85-165(B)
PETITION OF WILSHIRE CORPORATION

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 have been satisfied: and

WHEREAS, Petition No. 85-165(B) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on April 28, 1989: and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, pursuant to the criteria set forth in the Zoning Code of Palm Beach County, Florida, Sections 102, 200.2 (Special Exception) and 402.5, 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, sitting as the Zoning Authority, 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 consistent with the present and future development of the area and not an appropriate use in this location.
3. This proposal would create an intrusion into a residential neighborhood which would destroy the integrity of this neighborhood.
4. This proposal would create a safety hazard.

WHEREAS, 402.5 of the Zoning Code requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 85-165(B) the petition of WILSHIRE CORPORATION, by Jeff H. Iravani, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A PLANNED COMMERCIAL DEVELOPMENT TO PERMIT AN ADDITIONAL ACCESS ONTO OAK DRIVE (PETITION NO. 85-165(A)) on a parcel of

land lying in Section 8, Township 44 South, Range 43 East, Lots 1, 2, 3, 20 and the Northerly 22.40 feet of Lot 21, less the Easterly 100.00 feet thereof and also less the Westerly 17.00 feet thereof for additional road Right-of-way and also less the North 25.00 feet of Lot 1, aforesaid Lots lying in Block 2 according to the Plat of Laguna Park No. 1, Plat Book 21, Page 53, being located on the southeast corner of the intersection of Congress Avenue (SR 807) and Oak Drive, approximately 230 feet north of Melaleuca Drive, in a CG-General Commercial Zoning District, was denied on April 28, 1989, with prejudice.

Commissioner Marcus moved for adoption of the Resolution.

The motion was seconded by the Commissioner Howard and, upon being put to a vote, the vote was as follows:

Carol J. Elmquist, Chair	--	AYE
Karen T. Marcus	--	AYE
Carol Roberts	--	AYE
Ron Howard	--	AYE
Carole Phillips	--	AYE

The Chair thereupon declared the resolution was duly passed and adopted this 1st day of August, 1989.

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

