

RESOLUTION NO. R-90- 592

RESOLUTION DENYING SPECIAL EXCEPTION PETITION NO. 89-115  
PETITION OF MILITARY TRAIL ASSOCIATES, PARTNERSHIP  
ALBERT B. **JACKMAN**, AGENT

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. 89-115 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on October 26, 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, 202.2, 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.

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. 89-115 the petition of MILITARY TRAIL ASSOCIATES, PARTNERSHIP, BY ALBERT B. **JACKMAN**, AGENT, for a SPECIAL EXCEPTION TO PERMIT A (1) PLANNED COMMERCIAL DEVELOPMENT, INCLUDING A (2) OFFICE/WAREHOUSE COMBINATION, on a parcel of land lying in Tract 16 of the Northeast 1/4, Mary A. Lyman Amended Plat of Section 12, Township 45 South, Range 42 East, according to the Plat thereof, as recorded in Plat Book 9, page 74, being located on the West of Military Trail (SR 809) bounded on the south by Lake Worth Drainage District Canal No. L-19, in a **AR-Agricultural Residential** Zoning District, was denied on October 26, 1989, with prejudice.

Commissioner Phillips moved for approval of the Resolution.

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

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

The Chair thereupon declared the resolution was duly passed and adopted this 3rd day of April, 1990.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Andrew Ottner*  
COUNTY ATTORNEY

BY: *Marylou Pitt*  
DEPUTY CLERK

