

RESOLUTION NO. R-96-652

RESOLUTION DENYING ZONING PETITION CA95-114
PETITION OF EDWIN J. NELSON, SR.

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 Article 5 of the Palm Beach County Unified Land Development Code, have been satisfied; and

WHEREAS, Petition CA95-114 was presented to **the** Board of County Commissioners **at** a public hearing conducted **on** March 28, 1996; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, the recommendations of the various county review agencies, and the recommendation **of** the Zoning Commission; and

WHEREAS, the Board of County Commissioners made the following findings **of** fact:

1. This request is not consistent with the requirements **of** the Palm Beach County Comprehensive Plan.
2. This request is not consistent with the Palm Beach County Unified Land Development Code.
3. This request is not compatible and generally inconsistent with the uses and character of the land surrounding and in the vicinity **of** the land proposed for development.
4. This request is not consistent with the present and future development of the area and not an appropriate use in this location.
5. This request will not result in a logical, timely and orderly development pattern.

WHEREAS, Article 5 of the Palm Beach County Unified Land Development Code requires that the action of the Board **of** County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS **OF** PALM BEACH COUNTY, FLORIDA, that Zoning Petition CA95-114, the petition of Edwin J. Nelson, Sr. for a Class A Conditional Use (CA) to allow general day care (99 children) in the Agricultural Residential (AR) Zoning District, on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was denied on March 28, 1996, without prejudice.

Commissioner Lee moved for approval **of** the Resolution.

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

Ken Foster, Chair	--	Aye
Burt Aaronson	--	Aye
Maude Ford Lee	--	Aye
Karen T. Marcus	--	Aye
Mary McCarty	--	Absent
Warren Newell	--	Absent
Carol A. Roberts	--	Absent

The Chair thereupon declared the resolution was duly passed and adopted on May 23, 1996.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK

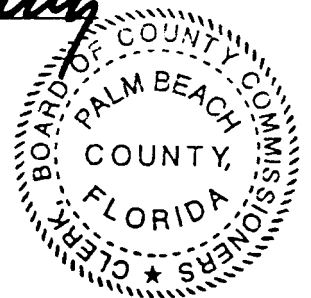


EXHIBIT A
LEGAL DESCRIPTION

LEGAL DESCRIPTION: PARCEL Z-246

A PARCEL OF LAND IN SECTION 22, TOWNSHIP 41 SOUTH, RANGE 42
EAST IN PALM BEACH COUNTY, FLORIDA AND MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 244 FEET OF A CERTAIN PART OF THE **SOUTH** 300 FT OF SAID SECTION 22 WITH THE EAST LINE OF SAID CERTAIN PART BEING AT RIGHT ANGLES TO THE S O L !LINE OF **SAID** SECTION; AND SO LOCATED THAT THE NORTHERLY PROJECTION OF SAID EAST LINE INTERCEPTS THE NORTH LINE OF THE **SOUTH** 1250 FEET OF **SAID** SECTION AT A POINT 2720 FEET EAST OF THE INTERSECTION OF SAID NORTH LINE WITH THE WEST SECTION LINE; AND WITH ALL INDICATED DISTANCES BEING AS MEASURED ALONG LINES PARALLEL TO THE WEST AND SOUTH LINES OF **SAID** SECTION 22; LESS. HOWEVER THE **SOUTH** 75 FEET THERE OF FOR RIGHT OF WAY OF DONALD ROSS ROAD AND LESS 1-95 RIGHT OF WAY **MORE** FULLY DESCRIBED IN OFFICIAL RECORD BOOK 4240, PAGE 677 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

EXHIBIT B

VICINITY SKETCH

