

RESOLUTION NO. R-2005- 2286.1

RESOLUTION DENYING ZONING APPLICATION PDD2004-589
(CONTROL NO. 2004-354)
APPLICATION OF LAKE WELLINGTON PROFESSIONAL CENTER, INC
(WESTERN RETAIL CENTER)

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

WHEREAS, Zoning Application PDD2004-589 was presented to the Board of County Commissioners at a public hearing conducted on November 17, 2005; 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 has considered the findings in the staff report and 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 2 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 Application PDD2004-589, the application of Lake Wellington Professional Center, Inc, by Basehart Consulting, Inc., agent, for a Official Zoning Map Amendment to a Planned Development District from the Agricultural Residential and the General Commercial Zoning Districts to the Multiple Use Planned Development 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 November 17, 2005, without prejudice.

Commissioner MARCUS moved for approval of the Resolution.

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

Tony Masilotti, Chair	¥	AYE
Addie L. Greene, Vice Chairperson	¥	AYE
Karen T. Marcus	¥	AYE
Jeff Koons	¥	AYE
Warren H. Newell	¥	AYE
Mary McCarty	¥	AYE
Burt Aaronson	¥	AYE

The Chairman thereupon declared the resolution was duly passed and adopted on November 17, 2005.

Filed with the Clerk of the Board of County Commissioners on 8TH day of ~~DECEMBER~~, 2005.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

SHARON R. BOCK,
CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK



EXHIBIT A
LEGAL DESCRIPTION

PARCEL ONE:

The South 300.00 feet of the North 340.00 feet, as measured at right angles, of the West 329.67 feet, as measured at right angles, of that part of Lot 3, lying West of a line parallel to and 301.05 feet West of, as measured at right angles, the East line of Lot 3, Tract 41, according to the Plat of **PALM BEACH FARMS COMPANY PLAT NO. 13**, as recorded in Plat Book 6, Page 99 of the Public Records of Palm Beach County, Florida.

PARCEL TWO:

The South 300.00 feet of the North 340.00 feet, as measured at right angles, of the East 400.00 feet, as measured along the North property line of Lot 4, Tract 41, according to the Plat of **PALM BEACH FARMS COMPANY PLAT NO. 13**, as recorded in Plat Book 6, Page 99 of the Public Records of Palm Beach County, Florida, less, however a strip of land 20 feet in depth along the southerly side of Lantana Road, which strip has been offered for dedication to Palm Beach County.

EXHIBIT B
VICINITY SKETCH

