

RESOLUTION NO. R-2007- 0831

RESOLUTION DENYING ZONING APPLICATION CA/TDR2006-733
(CONTROL NO. 2006-253)
APPLICATION OF BRAHMDEO PERSAUD
DRYDEN APARTMENTS

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider applications 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 CA/TDR2006-733 was presented to the Board of County Commissioners at a public hearing conducted on May 24, 2007; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant 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 proposed conditional use requesting TDRs is not compatible as defined in the Code and is not generally consistent with the uses and character of land surrounding and in the vicinity of the land proposed for development.
2. This proposed conditional use requesting TDRs is not consistent with neighborhood planning and improvement efforts that have been undertaken in the surrounding residential neighborhoods.

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) 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 CA/TDR2006-733, the Application of Brahmdeo Persaud, by Brahmdeo Peraud, agent, for a Class A Conditional Use to allow for the Transfer of Development Rights for 8 units 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 May 24, 2007, with 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:

Addie L. Greene, Chairperson	-	Aye
Jeff Koons, Vice Chair	-	Aye
Karen T. Marcus	-	Aye
Warren H. Newell	-	Aye
Mary McCarty	-	Absent
Burt Aaronson	-	Aye
Jess R. Santamaria	-	Absent

The Chairperson thereupon declared the resolution was duly passed and adopted on May 24, 2007.

Filed with the Clerk of the Board of County Commissioners on 11 day of ^{June} , 2007.

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

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

THE EAST $\frac{1}{2}$ OF THE WEST $\frac{1}{2}$ OF THE OSUTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$
OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 42 EAST,
PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA.

EXHIBIT B
VICINITY SKETCH

