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Press Release

For Immediate Release

Victory for Save Our Neighborhood, Inc: Judge Remands Sunset Property Case Back to Lake Worth City Commission to Comply With Florida Statutes; Re-Zonings Must Be Consistent With Comprehensive Plan.

(Lake Worth, Florida, October 31, 2007). In a decision handed down this week from the Fifteenth Judicial Circuit Court in and for Palm Beach County, Judge Edward Fine ordered the Lake Worth City Commission to reconsider its inappropriate handling of a citizen referendum dealing with the undeveloped 4.2 acre property in the Lake Osborne neighborhood.

The judge stated that the commissioners were ill advised, and acted upon the advice that they were not allowed to decide whether other parcels were affected, based upon an interpretation of a State law, and therefore, the City of Lake Worth did not consider citizens concerns about their own property and neighborhood.

The City Commission must consider this issue FACTUALLY, as to whether there are six parcels or more that would be affected by the up-zoning. If more parcels are affected, then the referendum effort would prevail, the Judge further stated.

The Court further ruled that the Lake Worth City Commission could not simply change ordinance numbers to avoid the citizen referendum process and quashed those development plans. The city also has the option of appealing this case to the Appellate Court.

The property was previously zoned "County Agricultural" (five homes per acre). The City Commission up-zoned the property to twenty per acre over the objections of the surrounding neighborhood. Currently there is one single family home on the property.

In 2005, citizens in Lake Worth formed a PAC, Save Our Neighborhood, Inc., and collected the required signatures to place the issue on the ballot. The City of Lake Worth refused to move the petitions forward to the Supervisor of Elections to be certified.