

RESOLUTION NO. R- 80-1254

RESOLUTION DENYING ZONING PETITION

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 Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 80-123A was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28 August 1980; and

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

1. The proposal would not be in harmony and compatible with the present and future development of the area concerned

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 28th day of August, 1980, that Petition No. 80-123A the petition of BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY by Dennis Koehler, Chairman, for the REZONING, FROM CN-NEIGHBORHOOD COMMERCIAL DISTRICT TO RM-RESIDENTIAL MULTIPLE FAMILY DISTRICT (MEDIUM DENSITY) of a parcel of land located in Sections 15 and 22 of

Township 41 South, Range 42 East, being more particularly described as follows: Commencing at the Southeast corner of Section 22, thence run North $4^{\circ}34'22''$ East along the East line of said Section a distance of 75 feet to the North right-of-way line of Donald Ross Road and the Point of Beginning; thence, continuing along the preceding course a distance of 137.8 feet to a point; thence, due West along the South right-of-way line of Croissant Mile a distance of 299.13 feet to the Northwest corner of Lot 166, Block 58 of North Palm Beach Heights Section One, as recorded in Plat Book 26, page 31; thence run North $4^{\circ}34'22''$ East along the West right-of-way line of East Market Street to the Northeast corner of Lot 17, Block 124 of North Palm Beach Heights; thence run due West along the North line of Block 124 a distance of 525.81 feet to the northwest corner of Lot 35, Block 124, North Palm Beach Heights; thence continue along the preceding course to a point 100 feet measured at right angles West of the East right-of-way line of the Sunshine State Parkway; thence, run North $17^{\circ}52'36''$ East along the West right-of-way line of Croissant Mile to the North line of Section 22; thence, run Westerly along the North line of Section 22 to the East right-of-way line of the Sunshine State Parkway; thence, run Southerly along said East right-of-way line approximately 5350 feet, more or less, to the North right-of-way line of Donald Ross Road; thence, run North $88^{\circ}27'38''$ East a distance of 822.09 feet to the Point of Beginning; also, the West 275 feet of that portion of the South 1/2 of Section 15, lying East of Florida's Turnpike. Said property located on the north side of Donald Ross Road, being bounded on the west by Florida's Turnpike, was denied as advertised.

Commissioner Evatt moved for denial of the petition. The motion was seconded by Commissioner Bailey, and upon being put to a vote, the vote was as follows:

Dennis Koehler, Chairman		Aye
Frank Foster, Vice Chairman	-	Aye
Bill Bailey, Member		Aye
'Norman R. Gregory, Member	-	Aye
Peggy B. Evatt, Member		Aye

The foregoing resolution was declared duly passed and adopted
this 16th day of September, 1980, confirming action of
28 August 1980.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Ruth Ann Altman*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

Charles F. Schoech
County Attorney

