

RESOLUTION NO. R-84-1164

RESOLUTION APPROVING ZONING PETITION 84-45, Rezoning

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. 84-45 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 27th of April 1984; 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 petitioner agreed that the development shall retain **onsite** 100% of the stormwater runoff generated by a three (3) year storm per requirements of the Permit, Section, Land Development Division; and

WHEREAS, the petitioner agreed to convey for the ultimate right-of-way of Congress Ave., 60 feet from centerline approximately an additional 10 feet within 90 days of approval; conveyance must be accepted by Palm Beach County prior to issuance of the first building permit; and

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

1. The proposed rezoning to CG is consistent with the requirements of the Comprehensive Plan and Zoning **Code**, except that in order for the existing improvements to comply with Zoning Code requirements, variance relief must be obtained from the Board of Adjustment .

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 26th day of April 1984, petition of HARVEY L. AND FRANCES I. WALL JR., By Neil Van Hoogen for the REZONING, FROM

CN-NEIGHBORHOOD COMMERCIAL DISTRICT, IN-PART AND RS-RESIDENTIAL SINGLE FAMILY DISTRICT, IN-PART TO CG-GENERAL COMMERCIAL DISTRICT on the West 363.36 feet, of **the** North 135.0 **feet, of the** South 270.0 feet, of the North 5/8, of the Northwest 1/4, of the Northwest 1/4, of Section 8, Township 44 South; Range 43 East; less the West 50.0 feet thereof for the road right-of-way for Congress Avenue. Also known as Lot 21, of Palm Acres, Tract 2 an unrecorded Plat 72. Said property located on the east side of Congress Avenue, approximately .4 mile south of Summit Boulevard was approved subject to voluntary commitments.

Commissioner Koehler moved for approval of the petition. The motion was seconded by Commissioner Evett, and upon being put to a vote, the vote was as follows:

Ken Spillias, Chairman	-- AYE
Dorothy Wilkens, Vice Chairman	-- AYE
Peggy Evatt, Member	-- AYE
Dennis P. Koehler, Member	-- AYE
Bill Bailey, Member	-- AYE

The foregoing resolution was declared duly passed and adopted this **AUG 21 1984**, confirming action of the 26th of April 1984.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Judy Maddler
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney

