

RESOLUTION NO. R- 85-569

RESOLUTION APPROVING ZONING PETITION 84-159, 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. 84-159 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 4th January 1985; 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 is consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 4th of January 1985, that Petition No. 84-159 the petition of NYDAL DEVELOPMENT, INC. AND PAUL S. COWAN, FRANK AND FLORINE WEATHERBY By Jean Peterson, Agent, for the REZONING, FROM RM-RESIDENTIAL MULTIPLE FAMILY (MEDIUM DENSITY) DISTRICT TO CG-GENERAL COMMERCIAL on the North 1/4 of the Northeast 1/4 of the Southeast 1/4, East of the Florida Inland Navigation District Canal in Section 5, Township 42 South, Range 43 East, the south 150 feet and the Easterly 192.75 feet thereof. Subject to the Right-of-way of the Intracoastal Waterway as Established in Plat Book 17, page 29. Subject to the Right-of-way for P.G.A. Boulevard (S.R. No. 74) as shown on the Right-of-way map as recorded in Road Plat Book 5, page 190, together with West 100 feet of East 140 feet of North 100 feet

of South 150 feet of North 1/4 of Northeast 1/4 of Southeast 1/4 lying east of Find Canal, Section 5, Township 42 South, Range 43 East. Subject to road easement over the Southern 15 feet for Shady Lane, together with a parcel of land in the North 1/4 of the Northeast 1/4 of the Southeast 1/4 East of the Florida Inland Navigation District Canal in Section 5, Township 42 South, Range 43 East, Less the South 150 feet thereof. Said property lying 187.13 feet on Ellison-Wilson Road, and being more particularly described as that part of the Easterly 192.75 feet of said parcel lying West of Ellison-Wilson road and South of P.G.A. Boulevard. Said property is located on the southwest corner of the intersection of PGA Boulevard and Ellison - Wilson Road, being bounded on the west by the Intracoastal Waterway and on the south by Shady Lane was approved as advertised.

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

Ken Spillias, Chairman	--	AYE
Dorothy Wilkens, Vice Chairman	--	AYE
Kenneth M. Adams, Member	--	AYE
Karen T. Marcus, Member	--	AYE
Jerry L. Owens, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 9th day of April confirming action of the 4th January 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Barbara O. Polyn*
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Sandy Amore
County Attorney