

RESOLUTION NO. R-85-667

RESOLUTION DENYING ZONING PETITION 85-2, 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. 85-2 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 24th 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. This proposal **is** inconsistent 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 24th of January 1985, that Petition No. 85-2 the petition of ROBERT S. BACON By Beril Kruger, Agent, for the REZONING, FROM AR-AGRICULTURAL RESIDENTIAL DISTRICT TO CG-GENERAL COMMERCIAL DISTRICT, on the West 100.00 feet of the East 400.00 feet of the South 1/2 of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of the Section 13, Township 46 South, Range 42 East, and The North 63.73 feet **of** the South 254.92 feet of the South 1/2 of the Northwest 1/4 of the Southwest 1/4 **of** the Northwest 1/4 **of** Section 13, Township 46 South, Range 42 East, less the East 500.00 feet and less the right-of-way of Military Trail (State Road No. 809).

Together with the right to use, jointly with others, the following described parcel for vehicular and pedestrian travel and all other

customary highway uses, said parcel being in the South 1/2 of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 13, Township 46 South, Range 42 East, and more particularly described as follows: The North 30.00 feet of the South 1/2 of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 13, Township 46 South, Range 42 East, less the right-of-way of Military Trail (State Road 809).

The West **100.00** feet of the East **500.00** feet of the South **1/2** of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 13, Township 46 South, Range 42 East, and

The South 1/2 of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 13, Township 46 South, Range 42 East, less the East 500.00 feet and the South 254.92 feet and less the right-of-way of Military Trail (State Road No. 809).

Together with the right to use, jointly with others, the following described parcel for vehicular and pedestrian travel and all other customary highway uses, said parcel being in the South 1/2 of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 13, Township 46 South, Range 42 East, and more particularly described as follows: The North 30.00 feet of the South 1/2 of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 13, Township 46 South, Range 42 East, less the right-of-way of Military Trail (State Road 809). Said property located on the east side of Military Trail (S.R. 809), approximately .4 mile north of Delray West Road (S.R. 806) was denied as advertised.

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

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

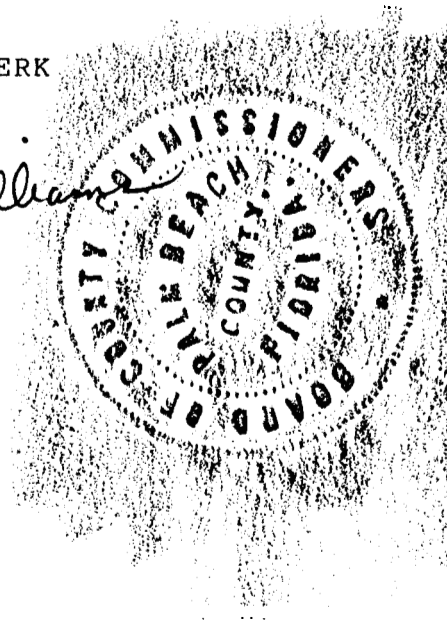
The foregoing resolution was declared duly passed and adopted this 23rd day of April, 1985, confirming action of the 24th January

1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Donna McWilliams
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Sandy Sprague
County Attorney