

RESOLUTION NO. R-89- 731

RESOLUTION APPROVING ZONING PETITION NO. **88-63**
REZONING PETITION OF CHARLES ZAHN AND LENO GIESLER

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. **88-63** was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on July **28**, 1988; 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, this approval is subject to Zoning Code Section **402.9** (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner; and

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

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. **88-63**, the petition of CHARLES ZAHN AND LENO GIESLER, by Kieran J. Kilday, Agent, for a REZONING FROM RM-MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICT (MEDIUM DENSITY), IN PART, AND CG-GENERAL COMMERCIAL ZONING DISTRICT, IN PART, ENTIRELY TO CG-GENERAL COMMERCIAL ZONING DISTRICT, on a parcel of land lying on Lot 1, Fleming Park, Section **36**, Township **43** South, Range **42** East as recorded in Plat Book 18, Page **70**, being located on the west side of Military Trail (SR **809**), approximately **247** feet north of Green Street, was approved as advertised.

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

Carol A. Roberts	--	Aye
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Absent
Jim Watt	--	Aye

The foregoing resolution was declared, duly passed and adopted this ~~25th~~ ^{27th} day of ~~July~~ ^{August}, 1989, confirming action of July 28, 1988.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY:

Barbara Altman
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

James T. Hark
DEPUTY CLERK