

RESOLUTION NO. R-89- 757

RESOLUTION APPROVING ZONING PETITION NO. 87-124
REZONING PETITION OF JOHN T. MIHLROTH

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. 87-124 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on October 29, 1987; 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. 87-124, the petition of JOHN T. MIHLROTH, by Kieran J. Kilday, Agent, for a REZONING FROM RM-MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICT (MEDIUM DENSITY) TO CG-GENERAL COMMERCIAL ZONING DISTRICT, on a parcel of land lying in Section 6, Township 44 South, Range 43 East and also being part of Tract 8 and 1, Block 4, "Palm Beach Plantations Plat No. 1" according to the Plat thereof, recorded in Plat Book 10, Page 20, more particularly described as follows:

Commence at the Southeast corner of said Section 6; thence run along the Easterly line of said Section 6, North 3 degrees 07' 00" East, a distance of 1064.32 feet: thence North 87 degrees 00' 41" West, a distance of 67.00 feet to the Point of Beginning, on the West line of Congress Avenue; thence with the outlines of

Parcel 1 of Book 3917, Page 7, South 3 degrees 07' 00" West, a distance of 187.00 feet; thence North 87 degrees 00' 41" West, a distance 596.28 feet: thence with a portion of the West line of O.R. Book 1371, Page 395, North 2 degrees 59' 19" East 685.81 feet; thence along the South line of Summit Boulevard as shown on Palm Beach County Florida Engineering Department Drawing No. 894124, Sheet 6 of 8, South 88 degrees 00' 28" East a distance of 185.85 feet; thence South 84 degrees 49' 40" East a distance of 180.28 feet; thence South 88 degrees 00' 28" East, a distance of 81.88 feet; thence with the outlines of O.R. Book 1590, Page 492, South 3 degrees 07' 00" West, a distance of 190.00 feet; thence South 88 degrees 00' 28" East, a distance of 150.00 feet; thence along the West line of Congress Avenue as shown on State of Florida State Road Department Right-of-way Map Section No. 93580-2601, Sheet 7 of 8, South 3 degrees 07' 00" West a distance of 309.20 feet to the Point of Beginning, located approximately 170 feet from the southwest corner of the intersection of Summit Boulevard and Congress Avenue, 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	--	Absent
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Aye
Kenneth M. Adams	--	Aye

The foregoing resolution was declared duly passed and adopted this 25th day of April, 1989 confirming action of October 29, 1987.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY :

[Signature]
COUNTY ATTORNEY

BY:

[Signature]
DEPUTY CLERK