

RESOLUTION NO. R-90- 540

RESOLUTION APPROVING ZONING PETITION NO. 89-82  
REZONING PETITION OF C. DARRELL DRAKE AND  
CAROL K. DRAKE AND OPAL JAUCH

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 have been satisfied; and

WHEREAS, Petition No. 89-82 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on August 31, 1989; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, 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, sitting as the Zoning Authority, made the following findings of fact:

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

WHEREAS, 402.5 of the Zoning Code requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 89-82, the petition of C. DARRELL DRAKE AND CAROL K. DRAKE AND OPAL JAUCH, by Kieran J. Kilday, Agent, for a REZONING FROM RH-MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICT (HIGH DENSITY) TO CG-GENERAL COMMERCIAL ZONING DISTRICT on a parcel of land lying on the South 242.80 feet of the East 220.00 feet of Tract 27, MODEL LAND CO. SUBDIVISION of Section 20, Township 44 South, Range 43 East, as recorded in Plat Book 5, Page 79.

LESS the South 39.00 feet of the East 140.00 feet, and the South 25.00 feet of the West 80.00 feet of the East 220.00 feet of Tract 27 for right-of-way of Tenth Avenue North; and LESS the East 30.00 feet for right-of-way of Boutwell Road; and LESS a parcel for road right-of-way as described in Official Record Book 3259, Page 920 of said Public Records, said parcel being described as follows:

A triangular parcel bounded on the South by the North line of the South 39.00 feet of Tract 27, MODEL LAND COMPANY Subdivision of Section 20, Township 44 South, Range 43 East, per Plat Book 5, Page 79, bounded on the Northwest by the chord of a tangent circle, said circle having a radius of 25.00 feet and being tangent to the above-mentioned two (2)

bounds, being located on the northwest corner of the intersection of Tenth Avenue North and Boutwell Road, was approved on August 31, 1989, as advertised.

Commissioner Phillips moved for approval of the Resolution.

The motion was seconded by Commissioner Howard and, upon being put to a vote, the vote was as follows:

Carol J. Elmquist, Chair	--	Aye
Ron Howard	--	Absent
Karen T. Marcus	--	Aye
Carole Phillips	--	Aye
Carol Roberts	--	Aye

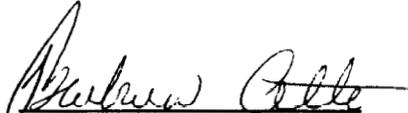
The Chair thereupon declared the resolution was duly passed and adopted this 27th day of March, 1990.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

  
COUNTY ATTORNEY

BY:

  
DEPUTY CLERK

