

RESOLUTION NO. R-83-31

RESOLUTION DENYING ZONING PETITION 82-66, SPECIAL EXCEPTION

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. 82-66 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 1 July 1982 ; 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 would not be in harmony and compatible with the present and future development of the area concerned

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 1st . day of July, 1982 , that Petition No. 82-66 the petition of JOSEPH VITOLLO, DENNIS VITOLLO and CHRISTINE VITOLLO by Beril Kruger, Agent, for a SPECIAL EXCEPTION TO ALLOW AN ENCLOSED FLEA MARKET on a parcel of land lying in Section 29, Township 46 South, Range 43 East, lying in the Subdivision Plat of West El Be, as recorded in Plat Book 15, page 22, (said land being a portion of Lots 7 thru 13, Block 3, Lots 1 thru 30, Block 4, Lots 1 thru 14, Block 7, road right-of-way for Lake Street and Ridge Street from East right-of-way line of 4th Avenue to the West right-of-way Swinton and utility easements along rearline Block 3, center of Block 4 and 7 as abandoned in O.R. Book 683, page 367 and O.R. Book 688, pages 263-264). Beginning at the Northeast corner of Lot 7, Block 3, as shown on the aforementioned plat, West El Be; thence with an assumed bearing of South 8°07'40" West, along the East line of Block 3, a distance of 357.07 feet to a point on a line, 7 feet (measured

at right angles) South of the North line of Lot 14, Block 3, of the
aforementioned plat; thence West along a line lying 7 feet (measured
at right angles) South of and parallel to said North line of Lot 14,
a distance of 129.86 feet to a point; thence South 8°07'40" West,
a distance of 0.73 feet to a point; thence West, a distance of 265.89
feet to a point; thence North a distance of 210.00 feet to a point;
thence West a distance of 14.00 feet to a point; thence North, a distance
of 144.21 feet to a point; thence East, a distance of 460.34 feet
more or less to the Point of Beginning. Together with an easement
for access, being 20 feet in width, whose South line is described
as the West 474.05 feet of the East-West centerline of Block 7, of
the aforementioned plat of West El Be. Said property located approximately
300 feet south of S.W. 12th Street and approximately 475 feet east
of S.W. 4th Avenue, being bounded on the East by F.E.C. Railroad in
an IL-Light Industrial District, was denied as advertised.

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

Norman Gregory, Chairman	Absent
Peggy Evatt., Vice Chairman	Aye
Bill Bailey, Member	Aye
Dennis Koehler, Member	Aye
Frank Foster, Member	Aye

The foregoing resolution was declared duly passed and adopted
this 4th day of January, 1983 , confirming action of
1 July 1982.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: Kathleen Siskler
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John Cortell
County Attorney