

RESOLUTION NO. H- 84-1103

RESOLUTION APPROVING ZONING PETITION 84-20, 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 462.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 84-28 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 29th March 1984; 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 petitioner agreed that the development shall retain onsite 85% of the stormwater runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division; and

WHEREAS, the petitioner agreed that the property owner shall voluntarily convey for the ultimate right-of-way of Congress Avenue 68 feet from centerline within 90 days of approval; conveyance must be accepted by Palm Beach County prior to issuance of first Building Permit; and

WHEREAS, the petitioner agreed that the developer shall voluntarily restrict access from this parcel to Ohio Street and shall construct Ohio Street from Congress Avenue east to the project's east property line concurrent with any redevelopment of this site; and

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

1. The proposed Rezoning is consistent with the requirements of the Comprehensive Plan and Zoning Code.
2. The proposed Rezoning will not result in additional impacts upon adjoining properties.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 29th day March 1984, that **Petition No. 84-28** the **petition of DOROTHY M. MARTIN, for the REZONING, FROM CN-NEIGHBORHOOD COMMERCIAL DISTRICT JO CG-GENERAL COMMERCIAL DISTRICT on Lot 5, Morrison Suburban Development, in Section 5, Township 44 South, Range 43 East, as recorded in Plat Book 20, Page 48. Said property located on the property located on the northeast corner of the intersection of Congress Avenue and Ohia Street was approved as advertised subject to voluntary commitments.**

Commissioner Koehler, moved for approval of the petition.

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

Ken Spillias, Chairman	-- AYE
Dorothy Wilkens, Vice Chairman	-- AYE
Peggy Evatt, Member	--ABSENT
Dennis P. Koehler, Member	--- AYE
Bill Bailey, Member	-- ABSENT

The foregoing resolution was declared duly passed and adopted this 14th day of Aug., 1984, confirming action of 29th March 1984.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney