

RESOLUTION NO. R-86-863

RESOLUTION DENYING ZONING PETITION 83-3(A), Modification

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. 83-3(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 2nd May 1986; 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. This proposal is not consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 2nd of May 1986, that Petition No. 83-3(A) the petition of J AND B MANAGEMENT COMPANY OF THE PALM BEACHES, By James Feola, Agent, to MODIFY THE FOLLOWING SPECIAL CONDITION PLACED ON ZONING PETITION NO. 83-3 APPROVED JANUARY 27, 1983:

CONDITION NO. 12 STATES:

"12. The facility shall close at 11:00 P.M. each evening."

REQUEST: TO MODIFY CONDITION NO. 12 TO READ:

"12. The facility shall close at 11:00 P.M. each evening except Thursdays, Fridays and Saturdays when it shall close at 2:00 A.M. the following morning."

Said property located on the west side of Military Trail (S.R. 809), approximately .2 mile north of Hypoluxo Road in a CG-General

Commercial District was denied with prejudice as advertised.

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

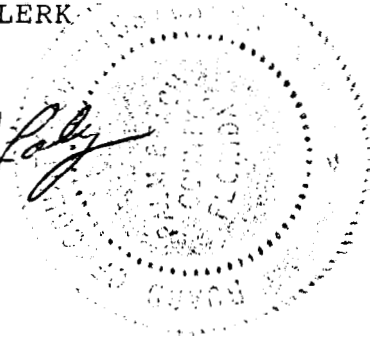
Karen T. Marcus, Chairman	--	AYE
Jerry L. Owens, Vice Chairman	--	NAY
Ken Spillias, Member	--	AYE
Dorothy Wilken , Member	--	AYE
Kenneth M. Adams, Member	--	ABSENT

The foregoing resolution was declared duly passed and adopted this 10th day of June, 1986 confirming action of the 2nd May 1986.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara O'Leary  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

Andy Boragun  
County Attorney