

RESOLUTION NO. R-89- 2230

RESOLUTION APPROVING ZONING PETITION NO. 89-46
REZONING PETITION OF JAMES R. MEROLA, TRUSTEE

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. 89-46 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on June 30, 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. 89-46, the petition of JAMES R. MEROLA, TRUSTEE, for a REZONING FROM AR-AGRICULTURAL RESIDENTIAL ZONING DISTRICT TO RTS-RESIDENTIAL TRANSITIONAL SUBURBAN ZONING DISTRICT on a parcel of land lying on Tracts 5 through 8, inclusive, and Tracts 17 through 20, inclusive, of Boynton Gardens, Section 23, Township 45 South, Range 42 East, in Plat Book 6, Page 32, together with all right, title and interest to the roadway 30.00 feet in width, contiguous to the South line of Tracts 1-12, inclusive, and the North line of Tracts 13-24, inclusive, of said Boynton Gardens, less, however, the portion thereof lying within 75.00 feet of each side of the North-South 1/4 Line of said Section 23, and less the portion thereof lying within 40.00 feet of the West line of said Section 23; together with the rights and subject to the limitations contained in Ingress and Egress Agreement recorded in Official Record Book 3319, Page 1773, and License Agreement recorded in Official Record Book 5099, Page 1828; This deed is given to correct a scrivener's error in the legal description contained in the deed recorded in Official Records Book 5327, page 0908 and to correct the recording information regarding the License Agreement referred to in that deed, being located on the west side of Lake Worth Drainage District E-3 Canal and the north side of Boynton C-16 Canal, approximately .5 mile west of Military Trail (SR 809), was

approved on June 30, 1989, as advertised.

Commissioner Roberts moved for approval of the Resolution.

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

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

The Chair thereupon declared the resolution was duly passed and adopted this 12th day of December, 1989.

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