

RESOLUTION NO. R-90- 809

RESOLUTION APPROVING ZONING PETITION NO. 78-2(A)  
REZONING PETITION OF WILLIAM EMPKE, III AND MARIA EMPKE

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. 78-2(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on November 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. 78-2(A), the petition of WILLIAM EMPKE, III AND MARIA EMPKE, BY KIERAN J. KILDAY, AGENT, for a REZONING FROM CG-GENERAL COMMERCIAL ZONING DISTRICT, IN PART, AND RM-MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICT (MEDIUM DENSITY), IN PART, ENTIRELY TO CG-GENERAL COMMERCIAL ZONING DISTRICT on a parcel of land lying in Section 24, Township 44 South, Range 42 East, Lots 1, 2, 52 and 53, GRAMMES HOMESITES, according to the plat thereof, as recorded in Plat Book 21, page 91. LESS, the Westerly 3.0 feet of said Lots 1 and 2 for right-of-way for Military Trail, being located on the East side of Military Trail (SR 809), approximately .01 mile North of 10th Avenue North, was approved on November 30, 1989, as advertised.

Commissioner Marcus moved for approval of the Resolution.

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

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

The Chair thereupon declared the resolution was duly passed and adopted this 22nd day of May, 1990.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS.-

JOHN B. DUNKLE, CLERK

BY: *Paula Carter*  
COUNTY ATTORNEY

BY: *John B. Dunkle*  
DEPUTY CLERK