

RESOLUTION NO. R-90- 814

RESOLUTION APPROVING ZONING PETITION NO. 87-137(A)
REZONING PETITION OF NICHOLAS DAMIANO

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. 87-137(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. 87-137(A), the petition of NICHOLAS DAMIANO, BY SARA J. LOCKHART, AGENT, for a REZONING FROM RM-MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICT (MEDIUM DENSITY) TO CG-GENERAL COMMERCIAL ZONING DISTRICT on a parcel of land beginning at the Southeast corner of Tract 67, of SWANN'S SUBDIVISION of Section 19, Township 44 South, Range 43 East, recorded in Plat Book 6, at Page 66; Thence run on an assumed bearing of due North along the East line of said Tract 67, to the Northeast corner of said Tract 67; thence run South 61 degrees 48' 45" West, along the North line of said Tract 67, a distance of 374.90 feet to a point on the North line of said Tract 67; thence run Due South, parallel to the East line of Tract 67, to a point on the south line of said Tract 67, which is 330.27 feet West of the Southeast corner of said Tract 67; thence run East along the South line of said Tract 67, a distance of 330.27 feet to the Point of Beginning; Less the South 25.00 feet thereof for State Road 802 Right-of-way; Less A parcel of land for road right-of-way in said Tract 67, lying South of the proposed North right-of-way line as shown on the right-of-way map Lake Worth Road, in Road Plat Book 5, Pages 125 thru 135, and being a portion of the following; Commencing at the Southeast corner of said Tract 67, thence Westerly along the South line of said Tract 67 a distance of 330.27 feet to a point on the boundary line between

Tracts 59 and 60 said subdivision extended South thru said Tract 67; thence Northerly along said boundary a distance of 149.09 feet; thence Easterly a distance of 330.03 feet; thence Southerly a distance of 249.09 feet; thence Easterly a distance of 330.03 feet; thence Southerly a distance of 149.09 feet to the Point of Beginning; Less the North 15.00 feet thereof (as measured at right angles to the North line of said Tract 67) for additional right-of-way for Second Avenue North. Also less the East 30.00 feet thereof (as measured at right angles to the East line of said Tract 67) for additional right-of-way for Davis Road, being located on the Northwest corner of the intersection of Lake Worth Road (SR 802) and Davis Road, and bounded on the North by 2nd 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

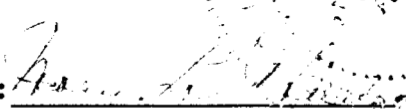
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK