

RESOLUTION NO. R-75- 163

RESOLUTION APPROVING ZONING PETITION

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, and Chapter 70-863, Laws of Florida, Special Acts of 1970, 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. 75-10 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 27 February 1975.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 27th day of February, 1975, that petition No. 75-10, the petition of JAN HOWARD AND ROZANN SMITH AND JULIUS AND MARTHA WITTMAN for the REZONING, FROM RM-RESIDENTIAL MULTIPLE FAMILY DISTRICT (MEDIUM DENSITY) IN PART AND CN-NEIGHBORHOOD COMMERCIAL DISTRICT IN PART TO CG-GENERAL COMMERCIAL DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A NURSERY AND GREENHOUSE on Lots 3 and 4, The Palm Beach Heights, Plat No. 2, as recorded in Plat Book 26, page 44; and Lots 3 and 4, The Palm Beach Heights, Plat No. 1, as recorded in Plat Book 25, page 122; and Lot 8, Block 10, New Palm Beach Heights, less right-of-way for State Road No. 5 (U.S. No. 1) as set forth in Common Law No. 15,395, as recorded in Plat Book 6, page 73; and that part of Lots 1 to 9 inclusive lying West of U.S. No. 1 road right-of-way and that part of Lots 10 to 17 inclusive lying East of The Palm Beach Heights, Plat No. 2, as recorded in

Plat Book 26, page 44, all in Block 9, The New Palm Beach Heights, as recorded in Plat Book 6, page 73; and all that part of Lots 9, 10, 11, Block 10, New Palm Beach Heights, lying East of the Easterly boundary of The Palm Beach Heights, Plat No. 1, and West of the Westerly right-of-way of U.S. Highway No. 1, as recorded in Plat Book 6, page 73, Plat Book 25, page 122, and Road Plat Book 2, page 108 respectively; and those parts of Lots 6 and 7, Block 10, New Palm Beach Heights, as recorded in Plat Book 6, page 73, lying Westerly of the Westerly right-of-way line of State Road No. 5, as shown on right-of-way map recorded in Road Plat Book 2, page 114; and also including Tract A and Lots 1 and 2, The Palm Beach Heights, Plat No. 2, as recorded in Plat Book 26, page 44; all in Section 28, Township 41 South, Range 43 East. Said property located on the west side of U.S. No. 1 (S.R. No. 5) approximately 700 feet south of Donald Ross Road, was approved as advertised subject to the following special conditions:

1. Prior to the issuance of any building permits, the developer shall convey to Palm Beach County the right-of-way required to provide thirty (30) feet of right-of-way from the centerline of Park Street and one hundred (100) feet of right-of-way from the centerline of U.S. #1.
2. Developer shall construct a left turn lane seventy-five (75) feet in length on the south approach of U.S. #1 and Park Street.

The foregoing resolution was offered by Commissioner Culpepper , who moved its adoption. The motion was seconded by Commissioner Medlen , and upon being put to a vote, the vote was as follows:

Robert F. Culpepper	- Yes
Lake Lytal	- Yes
E. W., Weaver	- Absent
Robert C. Johnson	- Yes
William Medlen	- Yes

The Chairman thereupon declared the resolution duly passed and adopted this 18th day of **March**, 1975, confirming action of 27 February 1975.

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

R. William Rutledge
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By *A. Kate Brecker*
Deputy Clerk

