

RESOLUTION NO. R-78-1138

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, 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. 78-165 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24 August 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 24th day of August, 1978, that petition No. 78-165 the petition of JACOB STEIN, by Louis R. McBane, Attorney, for the REZONING, FROM CN-NEIGHBORHOOD COMMERCIAL DISTRICT, AND RM-RESIDENTIAL MULTIPLE FAMILY DISTRICT (MEDIUM DENSITY) TO CG-GENERAL COMMERCIAL DISTRICT of the East 1/2 of the East 1/2 of the Northwest 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 25, Township 44 South, Range 42 East, less the right-of-way for Lake Worth Road. Said property located on the south side of Lake Worth Road (S.R. 802), approximately 600 feet west of Military Trail (S.R. 809), was approved as amended per the petitioner's request to include THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT subject to the following conditions:

1. Petitioner shall convey to Palm Beach County seventy-three (73) feet from the centerline for the ultimate right-of-way for Lake Worth Road provided said right-of-way has not been previously conveyed.

2. Retail uses shall **be** limited to the front (northerly) building only.
3. Petitioner shall record Protective Covenants and Restrictions (Deed Restrictions) to insure that there shall be no retail uses and its required parking deeper than three hundred fifty-seven (357) feet.

Commissioner **Lytal** moved **for** approval of the petition.

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

Peggy Evatt, Chairman	-	Yes
Bill Bailey, Vice Chairman	-	Yes
Lake Lytal	-	<b>Yes</b>
William Medlen	-	<b>Yes</b>
Dennis Koehler	-	Absent

The foregoing resolution **was** declared duly passed and adopted this **12th** day of **September** , 1978, confirming action of **24 August 1978**.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: Marjorie B. Jennings  
Deputy Clerk

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

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County Attorney

