

RESOLUTION NO. R-83-74

RESOLUTION DENYING ZONING PETITION 82-58, REZONING

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. 82-58 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 29 July 1982 ; and

WHEREAS, the Board of County Commissioners 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, the Board of County Commissioners made the following findings of fact:

1. The proposal would not be in harmony and compatible with the present and future development of the area concerned.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 23th day of July 1982, that Petition No. 82-58 the petition of HIGHWAY OIL, TN! . by H. Michael Easley, Attorney, for the REZONING, FROM X-GENERAL COMMERCIAL DISTRICT, IN PART, AND RM-RESIDENTIAL MULTIPLE FAMILY DISTRICT (MEDIUM DENSITY), IN PART, TO CG-GENERAL COMMERCIAL DISTRICT on the Southeast 1/4 of Southwest 1/4 of Southwest 1/4 of Section 36, Township 43 South, Range 42 East, excepting therefrom the following: the East 143 feet thereof, the West 100 feet thereof, the portion thereof lying South of the North right-of-way boundary of State Road 80, Tract conveyed to Station Development Corporation by Deed dated 8-18-53 and filed 8-20-53 in Deed Book 1028, page 114, as described as follows: Commencing on the North line of the right-of-way of Southern Boulevard (S.R. 80) 100 feet East of the West line of the Southeast 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 36, Township 43 South, Range 42 East,

this being on the East line of the tract of land conveyed to Walter S. Biichle and Sue Biichle, by deed dated December 8, 1947, and recorded in Deed Book 829, page 583, and being the Point of Beginning of the tract of land hereby conveyed; thence Easterly along the North line of said right-of-way, a distance of 225 feet; thence North on a line parallel to Biichle's East line, a distance of 225 feet; thence West on a line parallel to the North line of the Southeast 1/4 of the Southwest 1/4 of the Southwest 1/4 of said Section 36, a distance of 225 feet, more or less to Biichle's East line; thence South along Biichle's East line, a distance of 225 feet, more or less to the Point of Beginning. Said property located on the north side of Southern Boulevard (S.R. 80), approximately .1 mile east of Haverhill Road, was denied as advertised.

Commissioner Bailey, moved for denial of the petition. The motion was seconded by Commissioner Koehler, and upon being put to a vote, the vote was as follows:

Norman Gregory, Chairman	-	Absent
Peggy Lyall, Vice Chairman	-	Aye
Bill Bailey, Member	-	Aye
Dennis Koehler, Member	-	Aye
Frank Foster, Member	-	Aye

The foregoing resolution was declared duly passed and adopted this 18th day of January 1983, confirming action of 29 July 1982.

PALM BEACH COUNTY, FLORIDA  
 BY ITS BOARD OF COUNTY  
 COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: Kathleen Sinclair  
 Deputy Clerk



APPROVE AS TO FORM  
 AND LEGAL SUFFICIENCY

John B. Dunkle  
 County Attorney