

RESOLUTION NO. R-83-985

RESOLUTION APPROVING ZONING PETITION 83-35, 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. 83-35 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 26th May 1983; 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 proposed rezoning and special exception are consistent with the Land Use Plan designation and Mandatory Performance Standards of the Comprehensive Plan and the requirements of the Zoning Code.
2. The proposed use can be accommodated to the subject site while meeting all property development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 26th day May 1983, that Petition No. 83-35 the petition of GEROLD J. AND MARILYN F. HARBEKE, for the REZONING, FROM CG-GENERAL COMMERCIAL DISTRICT INPART AND RM-RESIDENTIAL MULTIPLE FAMILY DISTRICT (MEDIUM DENSITY) INPART TO CG-GENERAL COMMERCIAL DISTRICT on a tract of land lying in Section 13, Township 44 South, Range 43 East, being more particularly described as follows: All of Lots 3,4 and 5 together with Lot 6 less the West 50 feet thereof, "Plat of Veldor" as recorded in Plat Book 23, Page 50, together with the West 405.90 feet of the East 458.90 feet of the South 1/2 of the North 1/4 of the Southeast 1/4 of the Southwest 1/4 of

Section 13, Township 44 South, Range 42 East. Said property located on the north side of Kelly Drive, approximately 138 feet west of Military Trail (S.R.809), was approved as advertised.

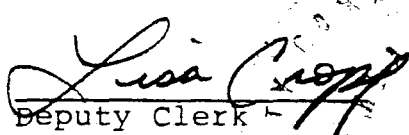
Commissioner **Bailey** , moved for approval , of the petition. The motion was seconded by Commissioner **Wilken** , and upon being put to a vote, the vote was as follows:

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|-----------------------------|--------|
| Peggy E. Evatt, Chairman | -- AYE |
| Ken Spillias, Vice Chairman | -- AYE |
| Dennis P. Koehler, Member | -- AYE |
| Dorothy Wilken, Member | -- AYE |
| Bill Bailey, Member | -- AYE |

The foregoing resolution was declared duly passed and adopted this 30th day of August , 1983 , confirming action of 26th May 1983.

PALM BEACH COUNTY,
FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: 
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney

