

RESOLUTION NO. R-84-56

RESOLUTION APPROVING ZONING PETITION 81-234(A), Modification

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. 81-234(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 29th September 1963; 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 requested modification will have no effect upon the project's consistency with the requirements of the Comprehensive Plan and Zoning Code.
2. The requested modification is consistent with the desires of the owners of adjoining properties.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 29th day September 1963, that Petition No. 81-234(A) the petition of ELIZABETHAN DEVELOPMENT, INC., By Alan Taylor, Agent, to DELETE THE FOLLOWING SPECIAL CONDITION PLACED ON ZONING PETITION NO. 81-234 APPROVED DECEMBER 23, 1981 on

Condition No. 2 States:

Petitioner shall construct a six (6) foot wall along the north and west property boundaries.

Request : TO DELETE CONDITION NO. 2

Said property located on the east side of Sermant own Road, approximately .3 mile south of s. w. 10th Street in an RH-Residential Multiple Family District (High Density) was approved as advertised subject to the following conditions:

1. The developer shall amend the site plan to reflect the deletion of the previously requested six foot screen wall and to reflect the roadway extension proposed by the City of Delray Beach along the eastern portion of this property.
2. The property owner shall dedicate to Palm Beach County the right-of-way necessary to accommodate the proposed roadway extension along the eastern portion of this property.
3. A 4 foot hedge and one tree planted 30 ft. on center will be provided along the property's north boundary.

Commissioner Spillias , 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:

Peggy E. Evatt, Chairman	--	AYE
Ken Spillias, Vice Chairman	--	AYE
Dennis P. Koehler, Member	--	AYE
Dorothy Wilken, Member	--	AYE
Bi 11 Bai ley, Member	--	ABSENT

The foregoing resolution was declared duly passed and adopted this 10th day of Jan. , 1984 , confirming action of 29th September 1963 .

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK, 1984

BY: *Charles Harris*
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

John Carlett
County Attorney