

RESOLUTION NO. R-84-352

RESOLUTION APPROVING **ZONING PETITION 83-156**, 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

WHEREFIS, 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

WHEREFIS, Petition No. 83-156 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 1st December 1983; and

WHEREFIS, 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

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

1. **Because of significant traffic impacts upon Military Trail and Okeechobee Boulevard, roads improvements will be required in order for this proposal to be consistent with the requirements of the Comprehensive Plan.**
2. Provided that a site plan is approved **resolving** potential **adverse impacts** upon adjoining residential development; the proposed development could be **compatible with** the surrounding area.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 1st day December- 1983, that **Petition No. 83-156 the petition of JAMES NEMEC, TRUSTEE By Russell C. Scott, Agent, for the REZONING, FROM RM-RESIDENTIAL MULTIPLE FAMILY DISTRICT TO CG-GENERAL COMMERCIAL DISTRICT on Lots 7, 8, 9, 18, 11, 12, 15, 16, 17, 18, 19, 20, 21, 22, 34, 35, 36, 37 and 38, as one, according to the Plat of Military Park Nichols Addition, in Section 24, Township 43 South, Range 42 East, as recorded in Plat Book 10, Page 88, and that abandoned portion of Alberta Avenue, as shown on said recorded plat, bounded on the East by the West Line of Military Trail and bounded on the West by the West Lines of Lots 7 and 20, according to said Record Plat, if**

extended, **together with:**

The East 300 feet of the North 250 feet of the Southeast 1/4 of the Southeast 1/4 of the Northwest 1/4, Less the East 50 feet far road right-of-way; and the East 6 feet of the West 174 feet of the East 474 feet of the North 245 feet of the Southeast 1/4 of the Southeast 1/4 of the Northwest 1/4 of said **Section 24**. **Said property located on the on the southwest corner of the inter-section of Military Trail (S. R. 809) and Orlando Avenue was approved as advertised.**

Commissioner **Koehler** , 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 Spi 11 ias , Vice Chairman	- - ABSENT
Denn i s P. Koeh 1 er , Member	-- AYE
Dorothy Wi 1 ken , Member*	- - AYE
Bi 11 Bai ley , Member-	-- ABSENT

The foregoing **resolution was declared** duly passed and adopted this **13th** day of **March** , **1984** , confirming **action of** **1 st** December 1983.

PALM BEACH COUNTY, FLORIDA
BY **ITS** BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:  -----
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

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County Attorney