

RESOLUTION NO. R-85-327

RESOLUTION APPROVING ZONING PETITION **84-179**, 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. **84-179** was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the **29th** of November **1984**; 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 petitioner agreed that within sixty (**60**) days of approval by the Board of County Commissioners, the developer shall convey to the Lake Worth Drainage District the South **15** feet of Lot **3**, Block **3**, Laguna Park No. **2**, Plat Book **21**, Page **65** for Lateral Canal No. **7**, by an easement deed in the form provided by said district; and

WHEREAS, the petitioner agreed that the development shall retain onsite **85%** of the stormwater runoff generated by a three (**3**) year one hour storm per requirements of the Permit Section, Land Development Division; and

WHEREAS, the petitioner agreed that the property owner shall convey for the ultimate right of way of Congress Avenue, **60** feet from centerline, approximately an additional **10** feet, within **90** days of adoption of the Resolution by the Board of County Commissioners; conveyance must be accepted by Palm Beach County prior to issuance of first Building Permit. NOTE: This right of way is required due to utility relocation along Congress Avenue; and

WHEREAS, the petitioner agreed that the development of the

entire parcel shall be limited to one access onto Congress Avenue; and

WHEREAS, the petitioner agreed that he shall place a 6' high solid masonry wall along the northern and western property lines, at such time as the property is developed for commercial use; and

WHEREAS, the petitioner agreed that he shall obtain variance relief from the Board of Adjustment with respect to the existing structure which does not meet the CS district side interior setback requirement, or such structure shall be removed; and

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

1. With variance relief, this proposal will be consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 29th of November 1984, that Petition No. 84-179 the petition of CARL CHRISTOFF, JOSEPH W. SCHAEFER, GUY R. BYRD, WILLIAM B. MCCRANIE, H.E. BEACHAM, NEW HORIZON CONSTRUCTION INC. AND RUDOLPH W. JEFFERS, By Carl P. Christoff, Agent, for the REZONING, FROM RM- RESIDENTIAL MULTIPLE FAMILY DISTRICT (MEDIUM DENSITY) TO CS-SPECIALIZED COMMERCIAL DISTRICT on Lots 2 & 3, Block 3, Laguna Park No. 2 a subdivision of the Southeast 1/4 of the Northeast 1/4 of Section 7, Township 44 South, Range 43 East, as recorded in Plat Book 21, Page 65. Said property located on the west side of Congress Avenue (S.R.807), approximately .2 mile north of Forest Hill Boulevard was approved as advertised subject to voluntary commitments.

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

Ken Spillias, Chairman	--	ABSENT
Dorothy Wilkens, Vice Chairman	--	AYE
Karen T. Marcus, Member	--	ABSENT
Jerry L. Owens, Member	--	AYE
Kenneth M. Adams, Member	--	AYE

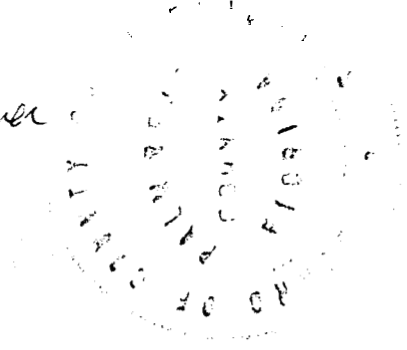
The foregoing resolution was declared duly passed and adopted

this            day of        FEB 19 1985        confirming action of the 29th of  
November 1984.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Patricia L. Weaver  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

Sandy Sprague  
County Attorney