

RESOLUTION NO. R-86-243

RESOLUTION DENYING ZONING PETITION 85-146, 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. 85-146 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 2nd December 1985; 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. This proposal is not 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 2nd of December 1985, that Petition No. 85-146 the petition of AUGUST PROPERTIES, INC., By Doc J. Durden, Agent, for the REZONING, FROM CG-GENERAL COMMERCIAL DISTRICT, INPART, AND RM-RESIDENTIAL MULTIPLE FAMILY DISTRICT (MEDIUM DENSITY), INPART, TO CG-GENERAL COMMERCIAL DISTRICT being the East 150 feet of the West 350 feet of the North 1/2 of the North 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 13, Township 44 South, Range 42 East; LESS the North 40 feet to Lake Worth Water Control District for road and drainage purposes. Subject to an easement for road purposes over the South 10 feet of the North 50 feet; thereof, together with an easement for road purposes over the South 10 feet of the North 50 feet of the East 200 feet. Said property located on the south side

of Canal 8 Road, approximately 150 feet east of Military Trail (S.R. 809) was denied with prejudice *us* advertisea.

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

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

The foregoing resolution was declared duly passed and adopted this 25th day of February, 1986 confirming action of the 2nd December 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Fatricia Weaver*
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Andy Baez
County Attorney