

RESOLUTION NO. R-86-470

RESOLUTION APPROVING ZONING PETITION 85-124, Special Exception

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. 85-124 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 3rd January 1986; 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 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 3rd of January 1986, that petition No. 85-124 the petition of THE BOARD OF COUNTY COMMISSIONERS By Kenneth M. Adams, Chairman, for a SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT on all of a tract of land, less the South 250 feet thereof, situate, lying and being in Section 9, Township 46 South, Range 43 East, and more particularly described as follows to wit:

From the 1/4 Section corner of the South boundary of Section 9, Township 46 South, Range 43 East, ran North 0 degrees, 13'20" East, a distance of 1746.55 feet along the 1/4 section line to a point on the North boundary of Lot 6, Model Land Company's Plat of said Section 9, as recorded in Plat Book 8, at Page 40; thence Easterly at an angle measured from North to East 89 degrees, 23 minutes, a distance of 591.06 feet to a point; thence in a Southerly direction at an angle

measured from East to South of 96 degrees, 24'24" for a distance of 33.21 feet. to the Point of Beginning of this description; thence from the Point of Beginning run in a Southerly direction at an angle of 175 degrees, 06'03", measured from North to East to South a distance of 465.73 feet. along the East line of Palm Trail to a point. in the South boundary line of said Lot 6; thence in an Easterly direction at an angle of 68 degrees, 30'13" measured from North to East, along the Southern boundary of said Lot 6 a distance of 201.52 feet. to a point of intersection with the West right-of-way line of the Intracoastal Waterway; thence in a Northerly direction at an angle of 98 degrees, 07'01", measured from west to North along the said right-of-way line a distance of 478.42 feet.; thence in a Westerly direction at an angle of 81 degrees, 52'19", measured from South to West a distance of 255.58 feet to the Point of Beginning. Said property located on the southeast corner of the intersection of N.L. 8th Street and Palm Trail Place and being bounded on the east by the Intracoastal Waterway in an CG-General Commercial District was approved as amended subject to the following conditions:

1. There shall be no bar, or lounge, as a primary use of this site.
2. A site plan shall be submitted to the Zoning Division within 30 days of this approval.

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

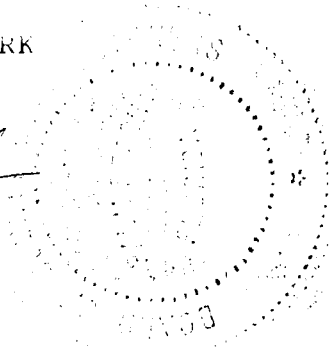
Karen T. Marcus, Chairman	--	ABSENT
Jerry L. Owens, Vice Chairman	--	AYE
Kenneth Spillias, Member	--	AYE
Dorothy Wiiken, Member	--	NAY
Kenneth Adams, Member	--	ABSENT

The foregoing resolution was declared duly passed and adopted this 8th day of April, 1986 confirming action of the 3rd January 1986.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. LUNKLE, CLERK

BY: Barbara O'Leary
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Audrey Wagner
County Attorney