

RESOLUTION NO. R-90-841

RESOLUTION APPROVING ZONING PETITION NO. 87-140(A)
REZONING PETITION OF KENNETH J. AND ALICE M. SIMMONS
BY KIERAN J. KILDAY, AGENT

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 have been satisfied; and

WHEREAS, Petition No. 87-140(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on December 28, 1989; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, 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, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, made the following findings of fact:

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations.

WHEREAS, 402.5 of the Zoning Code requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 87-140(A), the petition of KENNETH J. AND ALICE M. SIMMONS, BY KIERAN J. KILDAY, AGENT, for a REZONING FROM RM-MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICT (MEDIUM DENSITY), IN PART AND CN-NEIGHBORHOOD COMMERCIAL ZONING DISTRICT, IN PART, AND CG-GENERAL COMMERCIAL ZONING DISTRICT, IN PART, ENTIRELY TO CG-GENERAL COMMERCIAL ZONING DISTRICT on a parcel of land lying in the South 360.00 feet of the East 1/2 of the West 1/2 of the Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 24, Township 44 South, Range 42 East. LESS,, the East **100.00** feet thereof. **ALSO** LESS, the right-of-way of Lake Worth Road; TOGETHER WITH the North 180.00 feet of the South 360.00 feet of the West 1/2 of the West 1/2 of the Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of said Section 24; LESS, the East 70.00 feet thereof; **ALSO** LESS, the right-of-way for Haverhill Road; TOGETHER WITH, the North 53.00 feet of the South 180.00 feet of the West 1/2 of the West 1/2 of the Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 24; LESS the East 70.00 feet thereof; **ALSO** LESS, the right-of-way for Haverhill Road; TOGETHER WITH, the South 360.00 feet of the East 70.00 feet of the West 1/2 of the West 1/2 of the Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 24; LESS, the right-of-way for Lake Worth Road

(State Road 802), and being located on the North side of Lake Worth Road, approximately 100.00 feet East of Haverhill Road Extension, was approved on December 28, 1989, as advertised.

Commissioner Marcus moved for approval of the Resolution.

The motion was seconded by Commissioner Roberts and, upon being put to a vote, the vote was as follows:

Carol J. Elmquist, Chair	-- AYE
Karen T. Marcus	-- AYE
Carol Roberts	-- AYE
Ron Howard	-- AYE
Carole Phillips	-- AYE

The Chair thereupon declared the resolution was duly passed and adopted this 22nd day of May, 1990.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK