

ORIGINAL

RESOLUTION NO. R-92- 353

RESOLUTION APPROVING ZONING PETITION NO. **91-55**  
REZONING PETITION OF HERBERT & HEINZ KAHLERT, CO-TRUSTEES

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. **91-55** was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its Public Hearing conducted on January **3, 1992**; 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 the 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, Chapter **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. **91-55**, the petition of HERBERT AND HEINZ KAHLERT, CO-TRUSTEES, BY KIERAN J. KILDAY, AGENT, for a REZONING FROM AR TO CG on a parcel of land lying in Tracts **11** and **12**, Block **55**, Palm Beach Farms Company Plat No. **3**, recorded in Plat Book **2**, Pages **45** through **54**, Section **27**, Township **43** South, Range **42** East; COMMENCING at the intersection of the North line of said Block **55** with the centerline of Hagen Road (said centerline also being the centerline of the **30.00** foot roadway shown on said Palm Beach Farms Company Plat No. **3**); run thence South **89°25'54"** West along said North line, a distance of **950.00** feet to the POINT OF BEGINNING; thence South **44°25'54"** West (departing from said North line), a distance of **35.36** feet; thence South **00°34'06"** East, a distance of **240.00** feet; thence South **89°25'54"** West, a distance of **295.00** feet; thence North **00°34'06"** West, a distance of **235.00** feet; thence North **89°25'54"** East, a distance of **270.00** feet; thence North **00°34'06"** West, a distance of **30.00** feet to a point on the said North line of Block **55**; thence North **89°25'54"** East along said North line, a distance of **50.00** feet to the POINT OF BEGINNING, and being located APPROX. **30'** S OF BOYNTON BEACH BLVD., APPROX. **.2 MILE** E OF FLORIDA'S TURNPIKE AND **.2 MILE** W OF HAGEN RANCH RD., was approved on January **3, 1992**, as advertised.

Commissioner McCarty moved for approval of the Resolution.

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

Karen T. Marcus, Chair	--	Aye
Carole Phillips	--	Aye
Carol A. Roberts	--	Absent
Carol J. Elmquist	--	Aye
Mary McCarty	--	Aye
Ken Foster	--	Aye
Maude Ford Lee	--	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 10th day of March, 1992.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

**MILTON T. BAUER, CLERK**  
Board of County Commissioners

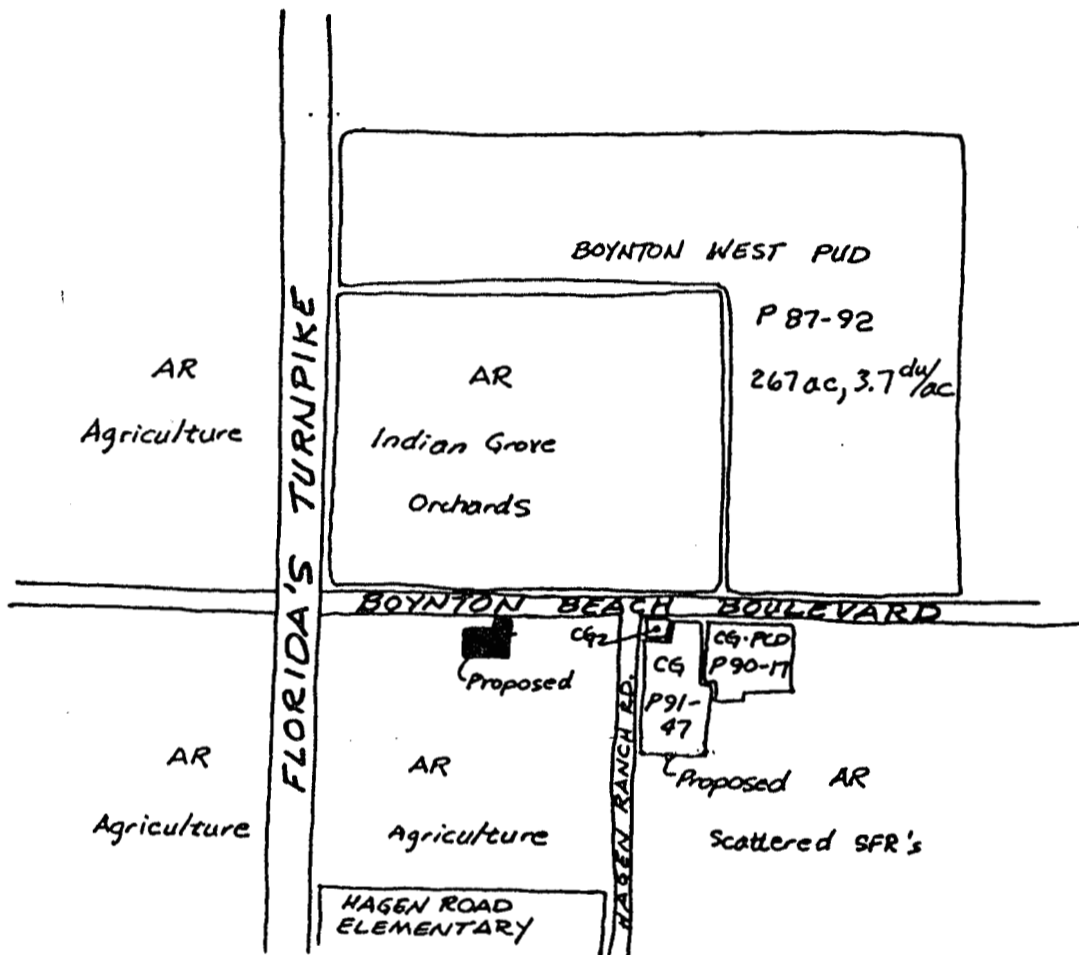
BY: *Barbara Atkinson*  
COUNTY ATTORNEY

By *Joan Haverly*  
BY: DEPUTY CLERK  
DEPUTY CLERK



Sec. 28 Twp. 45 Rng. 42  
Quadrant Sheet: 50  
Aerial Page: 301

### Vicinity Sketch



#### Request:

A REZONING from the Agricultural Residential (AR) Zoning District to the General Commercial (CG) Zoning District and a SPECIAL EXCEPTION for a convenience store with a gasoline station (no major repairs) and an accessory car wash.

PETITION NO: 91-55

BCC DISTRICT: 5