

RESOLUTION NO. R-89- 347

RESOLUTION APPROVING ZONING PETITION NO. 88-21
REZONING PETITION OF B. P. OIL, INC. GULF PRODUCTS DIVISION

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. 88-21 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on March 2, 1988; 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, 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 made the following findings of fact:

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 88-21, the petition of B. P. OIL, INC. GULF PRODUCTS DIVISION, Alan J. Ciklin, Agent, for a REZONING FROM CN-NEIGHBORHOOD COMMERCIAL ZONING DISTRICT TO CG-GENERAL COMMERCIAL ZONING DISTRICT, on a parcel of land lying in the Southwest 1/4 of Section 5, Township 44 South, Range 43 East, being more particularly described as follows:

Commence at the point of intersection of the East Right-of-Way line of Congress Avenue (S.R. 807) as shown on State Road Department Right-of-Way Map recorded in Road Plat Book 3, Pages 32 thru 39 and the Westerly extension of the North line of LARSON ADDITION, according to the Amended Plat as recorded in Plat Book 24, Page 53; thence run North 02 degrees 30' 35" East, along the East Right-of-Way line and being parallel with and 33.00 feet

East of the West line of said Section 5, for a distance of 300.31 feet to the POINT OF BEGINNING of the hereinafter described parcel of land; thence run South 88 degrees 33' 15" East, parallel to the Center line of construction as per Right-of-Way Map as per Section No. 93580 for 150.00 feet to a point; thence run South 02 degrees 30' 38" West, parallel to the West line of said Section 5 for 141.00 feet to the Northerly Right-of-Way line of Summit Boulevard; thence run North 88 degrees 33' 15" West, along said Northerly Right-of-Way line for 118.16 feet to a point; thence run North 41 degrees 29' 25" West, for 45.87 feet to an intersection with the Easterly Right-of-Way line of Congress Avenue (aforementioned); thence run North 02 degrees 30' 38" East, along said Right-of-Way for 107.41 feet to the POINT OF BEGINNING, being located on the northeast corner of the intersection of Summit Boulevard and Congress Avenue (S.R. 807), in a CG-General Commercial Zoning District, was approved as advertised.

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

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|-------------------|----|--------|
| Carol A. Roberts | -- | Aye |
| Carol J. Elmquist | -- | Aye |
| Karen T. Marcus | -- | Aye |
| Dorothy Wilken | -- | Absent |
| Kenneth M. Adams | -- | Absent |

The foregoing resolution was declared duly passed and adopted this 28th day of February, 1989 confirming action of March 2, 1988.

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