

RESOLUTION NO. R- 86-239

RESOLUTION APPROVING ZONING PETITION 85-153, Rezoning

WHEREAS, the Board of County Commissioners, *us* 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. 85-153 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 4th 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 petitioner agreed that reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties; and

WHEREAS, the petitioner agreed that reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters; and

WHEREAS, the petitioner agreed that the development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-24 hour storm per requirements of the Permit Section, Land Development Division; and

WHEREAS, the petitioner agreed that the property owner shall convey for the ultimate right of way of Okeechobee Boulevard, 60 feet from centerline (approximately an additional 7) within 90 days of adoption of the Resolution by the Board of County Commissioners; conveyance must be accepted by Palm Beach County prior to issuance of first Building Permit; and

WHEREAS, the petitioner agreed that the property owner shall construct turn lanes at the project's entrance road(s) concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer; and

WHEREAS, the petitioner agreed that the property owner shall obtain an onsite Drainage Permit from the Palm Beach County Engineering Department Permit section prior to the application of a building Permit; and

WHEREAS, the petitioner agreed that the petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting; 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 4th of December 1985, that Petition No. 85-153 the petition of THE PALM BEACH COUNTY SCHOOL BOARD by Thomas Mills, Superintendent, for the REZONING, FROM AR-AGRICULTURAL RESIDENTIAL DISTRICT TO PO-PUBLIC OWNERSHIP DISTRICT on a parcel of land lying in the East 1/4 of Section 25, Township 43 South, Range 40 East, being more particularly described as follows:

Commencing at the Northeast corner of Section 25 aforesaid; thence North 88 degrees 36'87" West, along the North line of the Northeast 1/4 of said Section 25 (the North line of the Northeast 1/4 of said Section 25 is assumed to bear North 88 degrees 30'07" West and all other bearings are relative thereto), a distance of 1371.17 feet to a point, said point being the Northwest corner of the East 1/4 of said Section 25; thence South 01 degree 33'21" West, along the West line of the East 1/4 of said Section 25 and departing from the North line of said Section 25, a distance of 398.03 feet to the point of beginning of the herein described parcel, said point being on the South right-of-way line of Okeechobee Boulevard (106 feet

right-of-way); thence continue South 01 degree 33'21" West, along the West line of the East 1/4 of said Section 25 and departing from the South right-of-way line of said Okeechobee boulevard, a distance of 1546.0 feet to a point; thence South 88 degrees 30'07" East, parallel with the South right-of-way line of said Okeechobee Boulevard and departing from the West line of the East 1/4 of said Section 25, a distance of 850.8 feet to a point; thence North 01 degree 33'21" East, parallel with the West line of the East 1/4 of said Section 25, a distance of 1540.0 feet to a point, said point being on the South right-of-way line of said Okeechobee Boulevard; thence North 88 degrees 30'07" West, along the South right-of-way line of said Okeechobee Boulevard, a distance of 850.0 feet to the Point of Beginning. Said property located on the southeast corner of the intersection of Okeechobee Road (S.R. 704) and 162nd Drive North was approved as advertised subject to voluntary commitments.

Commissioner Owens, moved for approval of the petition. The motion was seconded by Commissioner Spillias, 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	--	AYE
Jerry L. Owens, Member	--	AYE
Dorothy Wiiken, Member	--	ABSENT

The foregoing resolution was declared duly passed and adopted this 25th day of February, 1986 confirming action of the 4th December 1985.

PALM BEACH COUNTY, FLORIDA  
 BY ITS BOARD OF COUNTY  
 COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Patricia L. Weaver  
 Deputy Clerk

APPROVED AS TC FORM  
 AND LEGAL SUFFICIENCY

Andy Bryan  
 County Attorney