

RESOLUTION NO. R-88 - 141

RESOLUTION APPROVING ZONING PETITION S86-35

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. S86-35 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on November 18, 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 local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. S86-35, the petition of the Board of County Commissioners to rezone from CG-General Commercial Zoning District to RS-Single Family Residential Zoning District on PARCEL 1: TRACT 1: A tract of land lying and being in Section 10 and 11, Township 43, Range 43 East; Town of Palm Beach, Palm Beach County, Florida, and more particularly described as follows:

Beginning at a point in the Seawall of the Atlantic Ocean, which point is 838.25 feet South of, measured at right angles to the North line of said Section 10; thence run southerly along said Seawall for a distance of 200.00 feet to a point 1,036.8 feet South of, measured at right angles to the North line of said Section 11, thence run westerly parallel to the North line of said Section 11 to a point in the easterly Right-of-way line of Ocean Boulevard as now laid out and in use; thence run westerly and northerly along the Right-of-way line of said Ocean Boulevard to a point 838.25 feet South of, measured at right angles to the North line of said Sections 10 and 11 for a distance of 403.5 feet to the POINT OF BEGINNING.

TRACT 2:

A tract of land lying and being in Sections 10 and 11, Township 43 South, Range 43 East, Town of Palm Beach, Palm Beach County, Florida, more particularly described as follows:

Beginning at a point in the Seawall of the Atlantic Ocean, which point is 738.25 feet South of, measured at right angles to, the North line of Sections 10 and 11; thence run Southerly along said seawall to a point 838.25 feet South of, measured at right angles to, the North line of Section 11; thence run Westerly parallel to the North line of said Section 11 to a point in the Easterly right-of-way line of the Ocean Boulevard as now laid out and in use; thence run Northerly along the right-of-way of said Ocean Boulevard to a point 738.25 feet South of, measured at right angles to, the North line of said Section 10; thence run Easterly parallel to the North lines of said Sections 10 and 11 to the point of beginning.

PARCEL 2:

A parcel of land in the South 1/2 of the Southwest 1/4 of Section 30, Township 42 South, Range 43 East, Palm Beach County, Florida, said parcel containing 1E.333 acres, net, and being more particularly described as follows:

Commence at the Quarter Section Corner in the South line of said Section 30, Township 42 South, Range 43 East, Palm Beach County, Florida, thence run North 1 degree, 28 minutes, 43 seconds East, along the North South 1/4 Section Line of said Section 30, which line is also the Easterly right-of-way line of Central and Southern Florida Flood Control District Canal "C-17", a distance of 515.18 feet; thence run North 87 degrees, 40 minutes, 36 seconds West a distance of 400.04 feet to a point on the westerly right-of-way line of the County Road known as Garden Road, as now laid out and in use, this being the Point of Beginning of the parcel herein conveyed; thence continue North 87 degrees, 40 minutes, 36 seconds West a distance of 1130.62 feet to a point on the Easterly line of a fifty foot wide road easement; thence run North 2 degrees, 19 minutes, 24 seconds East; on said Easterly line a distance of 200.0 feet; thence run South 37 degrees, 40 minutes, 36 seconds East, a distance of 2011.13 feet; thence run North 2 degrees, 19 minutes, 24 seconds East a distance of 200.0 feet to a point on the Southerly right-of-way line of Blue Heron Boulevard, as now laid out and in use; thence run South 87 degrees, 40 minutes, 36 seconds East on said right-of-way line a distance of 75.0 feet; thence run North 2 degrees, 19 minutes, 24 seconds East still on said right-of-way line, a distance of 46.0 feet; thence run South 87 degrees, 40 minutes, 36 seconds East, still on said right-of-way line, which is parallel to and 53 feet South of the North line of the South 1/2 of the Southwest 1/4 of said Section 30, a distance of 849.64 feet to a point on the said westerly right-of-way line of Garden Road; thence run South 1 degree, 28 minutes, 43 seconds West on said westerly right-of-way line a distance of 446.05 feet to the Point of Beginning.

LESS Parcel B of Plat No. 2, MARTINO, according to the Plat thereof, as recorded in Plat Book 42, Page 125 of the Public Records of Palm Beach County, Florida

PARCEL 3:

The South 397.5 feet of the West 1695.85 feet of Tract 4, Block 4, Palm Beach Farms Company, Plat No. 3, according to the Plat thereof recorded in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, in Plat Book 2, pages 45 to 54, located on the north side of Hoffman Road, approximately one-fourth mile east of Skees Road, was approved as advertised.

A motion to approve, Petition No. S86-35, was offered by Commissioner Owens, who moved its adoption. The motion was seconded by Commissioner Adams, and upon being put to a vote, the vote was as follows:

Kenneth M. Adams	Aye
Karen T. Marcus	Aye
Ken Spillias	Aye
Jerry L. Owens	Aye
Dorothy Wilken	Absent

The Chair thereupon declared the resolution duly passed and adopted this 2nd day of FEBRUARY, 1988 confirming action of November 16, 1986.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN E. DUNKLE, CLERK

BY:


Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney