

RESOLUTION NO. R-89-440

RESOLUTION APPROVING ZONING PETITION NO. 77-48(A)
REZONING PETITION OF LAKE WORTH DRAINAGE DISTRICT,
GEORGE T. ELMORE, TRUSTEE, AND W.G. LASSITER, JR.

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. 77-48(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on April 28, 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. 77-48(A), the petition of LAKE WORTH DRAINAGE DISTRICT, GEORGE T. ELMORE, TRUSTEE, AND W. G. LASSITER, JR., by Mark Perry, Agent, for a REZONING FROM AR-AGRICULTURAL RESIDENTIAL 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 Section 6, Township 44 South, Range 42 East, Tracts 21 and 22, Block 8 and Tracts 5 and 6, Block 10, the Palm Beach Farms Co., Plat No. 3, according to the Plat thereof, as recorded in Plat Book 2, on pages 45 through 54, said parcel of land is more particularly described as follows:

Beginning at the intersection of the South Line of said Tract 6, Block 10 (said South line of Tract 6 also being a North line of Westwoods, P.U. D. recorded in Plat Book 34 on pages 131 through 134) with a line 40 feet East of as measured at right angles and parallel with the West line of said Tract 6: thence North 89 degrees 22'39" East (all bearings cited herein are related to the assumed meridian used for the plat of Westwoods) along the South line of said Tract 6 and said North line of Westwoods, P.U.D., a

distance of **720.00** feet; thence North **02** degrees **58'25"** East along that portion of the West line of said Westwoods, P.U.D. lying West of Lots **40** through **49**, a distance of **1660.22** feet to the intersection with the South line of those lands described in the quit claim deed recorded in Official Records Book **2831** on page **1927** (said South line being a line **130** feet South of as measured at right angles and parallel with the centerline of the West Palm Beach Canal. The centerline of the West Palm Beach Canal is the same as that which is shown on the Right-of-way and TOPO map for the West Palm Beach Canal, Drawing Number W.P.B.-3, Sheet **9** of **19**, prepared June **1956** and revised March **29**, **1961** by the Central and Southern Florida Flood Control District); North **88** degrees **29'34"** West along said south line, a distance of **749.99** feet to the intersection with the East line of those lands described in the quit claim deed recorded in Official Record Book **2819** on page **1155** (said East line being a line **40** feet East of as measured at right angles and parallel with the West Tract lines of the aforementioned Tracts **21** and **22**, Block **8** and Tract **6**, Block **10**); thence South **01** degrees **53'41"** West along said East line, a distance of **1186.02** feet; thence south **01** degrees **57'46"** West continuing along said East line, a distance of **500.46** feet to the Point of Beginning.

Together with all of that certain abandoned **50** foot Palm Beach Farms Co., road Right-of-way lying between Blocks **8** and **10** and contained within the above described parcel of land. Said Right-of-Way was abandoned under Resolution No. **R-78-209** and is recorded in Official Records Book **2831** on pages **1619** and **1620**.

Subject to easements, restrictions, reservations and Rights-of-Way of record and to a temporary easement recorded in Official Records Book **2831** on pages **1924** through **1926**.

Together with Parcel **2**:

The West **40.00** feet of Tract **21**, lying South of West Palm Beach Canal and West **40.00** feet of Tract **22**, all in Block **8**, and the West **40.00** feet of Tract **6**, Block **10**, all of the above shown on the Plat of Palm Beach Farms Co., Plat No. **3**, recorded in Plat Book **2**, pages **45** to **54**.

Subject to existing easements, restrictions, reservations and Rights-of-way of record.

Together with Parcel **3**:

Commencing at the intersection of South line of Tract **6**, Block **10**, The Palm Beach Farms Co.; Plat No. **3** as recorded in Plat Book **2**, on pages **45** through **54**; (said South line of Tract **6** also being a North line of Westwoods, P.U.D., recorded in Plat Book **34** on pages **131** through **134**) with a line **40.00** feet east of as measured at right angles and parallel with the west line of said Tract **6**; thence South **89** degrees **22'39"** West (all bearings cited herein are related to the assumed meridian used for the plat of Westwoods, P.U.D.) along the projection of the South line of said Tract **6** and said North line of Westwoods, P.U.D. ; a distance of **40.04** feet to the Point of Beginning.

Thence continue South **89 degrees 22'39"** West, a distance of **71.87** feet to the East face of the East guard rail of State Road No. 7, thence along said guard rail the following three courses and distances: North **01 degrees 52'19"** East, a distance of **342.25** feet, thence North **00 degrees 58'13"** East, a distance of **298.90** feet, thence North **00 degrees 12'26"** West, a distance of **210.99** feet to intersect the West line said Section 6; thence North **01 degrees 53'41"** East, along the West line of said Section 6, a distance of **838.59** feet to intersect the southerly Right-of-way line of the **C-51 Canal**, as recorded in Official Record Book **2831**, page **1927**; thence South **88 degrees 29'34"** East, along said southerly Right-of-way line, a distance of **85.10** feet to intersect the West line of Tracts **21** and **22**, Block **8**; and Tract **6**, Block **10**, The Palm Beach Farms Co., Plat No. **3**; thence South **01 degrees 53'41"** West along said West tract lines, a distance of **1185.73** feet; thence south **01 degree 57'46"** west along said west line of Tract **6** a distance of **502.24** feet to the Point of Beginning.

Subject to existing easements, restrictions, reservations and Rights-of-way of record.

Together with Parcel **4**:

A parcel of land lying in Tracts **21** and **22**, Block **8** and Tracts **5** and **6**, Block **10**, The Palm Beach Farms Co., Plat No. **3**, according to the plat thereof, as recorded in Plat Book **2**, on pages **45** through **54**, said parcel of land is more particularly described as follows:

Beginning at the intersection of the South line of said Tract **6**, Block **10** (said South line of Tract **6** also being a North line of Westwoods, P.U.D. recorded in Plat Book **34** on pages **131** through **134** of the Public Records of palm Beach County, Florida) with a line **40.00** feet East of as measured at right angles and parallel with the West line of said Tract **6**; thence North **89 degrees 22'39"** East (all bearings cited herein are related to the assumed meridian used for the plat of Westwoods) along the South line of said Tract **6** and said North line of Westwoods, P.U.D., a distance of **720.00** feet ; thence North **02 degrees 58'25"** East along that portion of the West line of said Westwoods, P.U.D. lying West of Lots **40** through **49**, a distance of **1660.22** feet to the intersection with the South line of those lands described in the quit claim deed recorded in Official Records Book **2831** on page **1927** (said South line being a line **130.00** feet South of as measured at right angles and parallel with the centerline of the West Palm Beach Canal. The centerline of the West Palm Beach Canal is the same as that which is shown on the Right-of-way and TOPO map for the West Palm Beach Canal, Drawing number **W.P.B.-3**, sheet **9** of **19**, prepared June **1956** and revised March **29, 1961** by the Central and Southern Florida Flood Control District); thence North **88 degrees 29'34"** West along said South line, a distance of **100.03** feet; thence South **02 degrees 58'25"** East on a line **100.00** feet West of as measured at right angles and parallel with the West line of said Westwoods, P.U.D., lying West of Lots **40** through **49**, a distance of **1505.32** feet; thence South **46 degrees 10'32"** West, a distance of **85.18** feet; thence South **89 degrees 22'39"** West, a distance of **675.217** feet to the East face of the

East guardrail of State Road No. 7; thence South 01 degrees 52'19" West along said East face of guardrail, a distance of 100.10 feet; thence North 89 degrees 22'39" East, a distance of 111.91 feet to the Point of Beginning.

Subject to easements, restrictions, reservations and Rights-of-Way of record, being located on the east side of State Road 7 (U.S. Highway 441), approximately 250 feet south of Southern Boulevard (SR 80), was approved as advertised.

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

Carol A. Roberts	--	Aye
Carol J. Elmquist	--	Absent
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Aye
Ken Adams	--	Absent

The foregoing resolution was declared duly passed and adopted this 14th day of March, 1989 confirming action of April 28, 1988.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

Juan Pulido
COUNTY ATTORNEY

BY:

Lina M. Blawie
DEPUTY CLERK

