

RESOLUTION NO. R-89- 1078

RESOLUTION APPROVING ZONING PETITION NO. 74-117(A)
SPECIAL EXCEPTION PETITION OF K. TERRACE MOCK, TRUSTEE AND
HENRY J. ULLMANN

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. 74-117(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on November 30, 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. 74-117(A) the petition of K. TERRANCE MOCK, TRUSTEE AND HENRY J. ULLMANN, by Kieran J. Kilday, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A PLANNED COMMERCIAL DEVELOPMENT (PETITION NO. 74-117) TO DELETE ACREAGE . (THIS APPROVAL EXTINGUISHES THE SPECIAL EXCEPTION FOR A NURSERY AND GREENHOUSE FACILITY (PETITION NO. 80-30) on a parcel of land lying on:

Parcel 1

A parcel of land in Tract 11 and 12 of Block 1, according to Plat of Palm Beach Farms Company, Plat No. 9, recorded in Plat Book 5, Page 58 in Section 29, Township 43 South, Range 42 East, more particularly described as follows: Beginning at a point in the West line of said Tract 11, 70.00 feet South of the Northwest corner of said Tract 11; thence South 87 degrees 46' 06" East along a line that is 70 feet South of and parallel to the North line of said Tract 11 and 12, a distance of 729.98 feet to a point in said Tract 12; thence South 571.57 feet to a point;

thence West 729.45 feet to a point; thence North along West line of Tract 11, a distance of 600.00 feet to the Point of Beginning. Together with: Parcel 2. A parcel of land in Tract 10, Block 1, according to the Plat of Palm Beach Farms Company, Plat No. 9, as recorded in Plat Book 5, Page 58, more particularly described as follows: Beginning at a point 50.00 feet West of and 70.00 feet South of the Northeast corner of said Tract 10; thence South parallel with the East line of Tract 10, a distance of 603.12 feet; thence West, a distance of 279.99 feet to the West line of the East 1/2 of Tract 10; thence North along said West line, a distance of 614.03 feet to the South line of the North 70.00 feet of Tract 10; thence South 87 degrees 46' 06" East along said South line, a distance of 230.20 feet to the Point of Beginning, being located on the south side of Okeechobee Boulevard (SR704) and on the east and west sides of Sansbury's Way (Rubin Road), in a CG-General Commercial Zoning District, was approved as advertised, subject to the following conditions:

1. The petition shall comply with all previous conditions of approval, unless expressly modified herein.

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

Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Carol Roberts	--	Aye
Ron Howard	--	Aye
Carole Phillips	--	Aye

The foregoing resolution was declared duly passed and adopted this 6th day of June, 1989 confirming action of November 30, 1988.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY :

Richard A. Thomas
COUNTY ATTORNEY

BY: *June F. Hardy*
DEPUTY CLERK

