

RESOLUTION NO. R-92- 359

RESOLUTION TO REVOKE A SPECIAL EXCEPTION
PETITION NO. 79-132(C)
PETITION OF BOARD OF COUNTY COMMISSIONERS

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, have been satisfied; and

WHEREAS, Petition No. 79-132(C) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its Public Hearing conducted on December 9, 1991; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, 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 the 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, sitting as the Zoning Authority, made the following findings of fact:

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

WHEREAS, Chapter 402.5 of the Zoning Code, requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, **BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA**, that Petition No. 79-132(C), the petition of BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, BY KAREN MARCUS, CHAIR, to REVOKE A SPECIAL EXCEPTION TO ALLOW A PCD on a parcel of land commencing at a point 40 feet South of the North line of Section 6, Township 45 South, Range 43 East, and the Westerly right-of-way line of Congress Road as now established, go Southerly and Easterly along the Westerly right-of-way line of Congress Road on an arc having a radius of 1,960.08 feet, for a distance of 400 feet to the POINT OF BEGINNING and North-East corner of the tract to be described; thence Southerly and Easterly along the Westerly right-of-way line of Congress Road, a distance of 790 feet; thence South 47°30'28" West a distance of 330 feet; thence West 195 feet; thence Westerly and Northerly parallel to the said Westerly right-of-way line of Congress Road a distance of 1,035 feet to a point 490 feet West of the POINT OF BEGINNING; thence East parallel to the North line of said Section 6 Township 45 South, Range 43 East, to the POINT OF BEGINNING; together with the following described parcel: COMMENCING at a point 40 feet South of the North line of Section 6, Township 45 South, Range 43 East and on the Westerly right-of-way line of Congress Road as now established, go Southerly and Easterly along the **Westerly** right-of-way line of Congress Road, on an arc having a

radius of 1,960.08 feet for a distance of 400 feet; thence West parallel of the North line of said Section 6, a distance of 490 feet, more or less, to an arc having a radius of 2,442 feet; thence Northerly on a arc parallel to the Westerly right-of-way line of Congress Road, 400 feet, more or less, to the line 40 feet South of and parallel to the North line of said Section 6; thence East along said last mentioned line to the POINT OF BEGINNING; LESS AND EXCEPT THE FOLLOWING: Beginning at the intersection of the South line of the Lake Worth Drainage District L-16 Canal Right-of-way and the West line of Congress Avenue Right-of-way as shown on Drainage No. 3-76-360 Right-of-way on file in the Office of the Palm Beach County Engineering and Public Works Department. Said point being south 89°33'57" West 1,466.81 feet along the Section line and South 0°26'03" East 40.0 feet from the Northeast corner of Section 6, Township 45 south, Range 43 East, and also being a point on a curve concave to the East having a radius of 1960.08 feet with a local tangent of South 4 degrees 29'36" East. Run thence Southerly along the arc of said curve 120.0 feet through a central angle of 3 degrees 30'28"; thence South 81 degrees 59'56" West 10.0 feet to a point on a curve, concentric to the foregoing curve, having a radius of 1970.08 feet with a local tangent of North 8 degrees 00'04" West; thence Northerly along the arc of said curve 121.32 feet through a central angle of 3 degrees 31'42" to a point on the South line of Lake Worth Drainage District L-16 Canal, thence along the South line of said Canal North 89 degrees 33'57" East 10.03 feet to the POINT OF BEGINNING, and being located ON THE W SIDE OF CONGRESS AVE., APPROX. .2 MILE S OF LANTANA RD., IN THE CG ZONING DISTRICT, was approved on December 9, 1991, as advertised.

Commissioner McCarty moved for approval of the Resolution.

The motion was seconded by Commissioner Foster and, upon being put to a vote, the vote was as follows:

Karen T. Marcus, Chair	--	Aye
Carole Phillips	--	Aye
Carol A. Roberts	--	Absent
Carol J. Elmquist	--	Aye
Mary McCarty	--	Aye
Ken Foster	--	Aye
Maude Ford Lee	--	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 10th day of March, 1992.

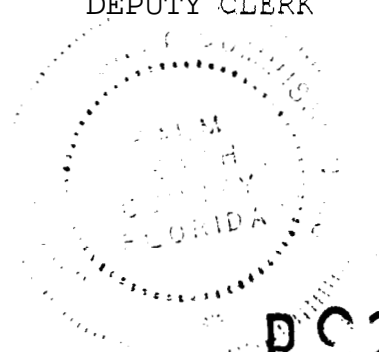
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

MILTON T. BAUER, CLERK

BY: *Barbara Altman*
COUNTY ATTORNEY

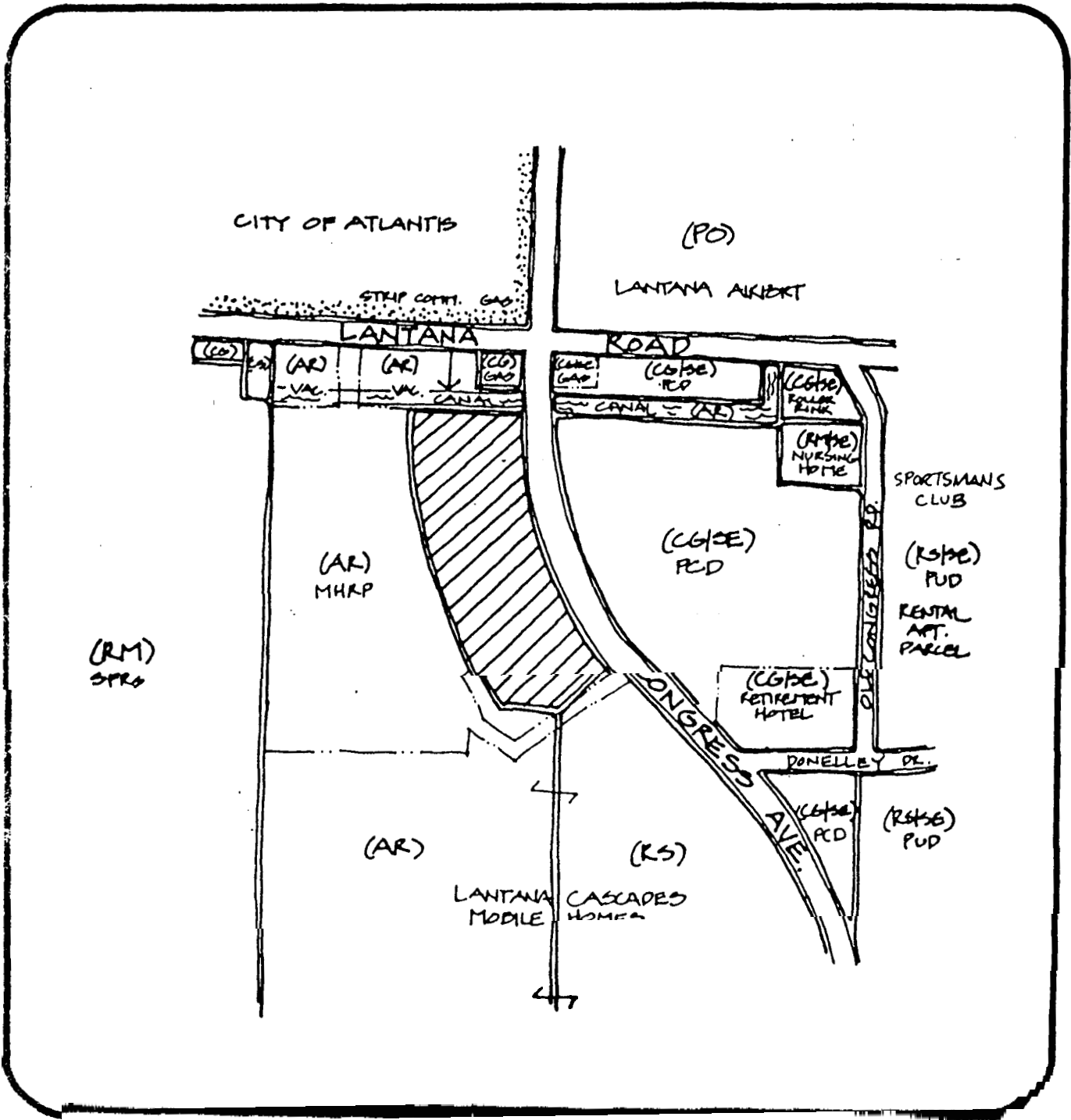
BY: *Joan Hawley*
DEPUTY CLERK



R 92 359

Sec. 6 Twp. 45 Rng. 43
Quadrant Sheet: 19
Aerial Page: 280

Vicinity Sketch



Request:

REVOCATION OF A SPECIAL EXCEPTION FOR A PCD AND THE IMPOSITION OF ENTITLEMENT' INTENSITY

PETITION No: 79-132C

BCC DISTRICT: 3