

RESOLUTION NO. R- 80-375

RESOLUTION APPROVING ZONING PETITION

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. 79-268 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28 February 1980; 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. The proposal would be in harmony and compatible with the present and future development of the area concerned
2. The proposal would not be disruptive to the character of the neighborhoods or adverse to playgrounds, parks, schools and recreation areas
3. The proposal would not be adverse to the promotion of the public health, safety, comfort, convenience, order, appearance, prosperity or general welfare --

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 28th day of February, 1980, that Petition No, 79-268 the petition of G.R. FROST, TOWN MANAGER OF THE TOWN OF PALM BEACH, by Robert Cain and Tom McCarthy, Agents, for a SPECIAL EXCEPTION TO ALLOW GOVERNMENTAL SERVICE AND ACCESSORY BUILDINGS AND STRUCTURES,

INCLUDING RECREATION AND CLUB FACILITIES on the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 26, Township 43 South, Range 42 East, being a portion of Flat No. 1, Westmoor Pines, an addition to West Palm Beach, as said plat is recorded in Flat Book 4, page 21, together with: the Northwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of said Section 26. Subject to the right of way for State Road 704 (Okeechobee Boulevard), Lake Worth Drainage District E-3 Canal and any other rights of way or easements of record. Said property located on the south side of Okeechobee Boulevard (S.R. 704), being bounded on the west by L.W.D.D. Canal No. 3, approximately 1950 feet west of Haverhill Road in a CG-General Commercial District and an RH-Residential Multiple Family District (High Density), was approved as advertised subject to the following conditions:

1. Within ninety (90) days of Special Exception approval, petitioner shall convey to Palm Beach County fifty-nine (59) feet from the north line of Section 26, Township 43 South, Range 42 East for the ultimate right-of-way for Okeechobee Road.
2. Petitioner shall convey the West 50.00 feet of the West Half of the Northwest Quarter of the Northeast Quarter of Section 26, Township 43 South, Range 42 East and also the West 50.00 feet of the Northwest Quarter of the Southwest Quarter of the Northeast Quarter of said Section 26, all for the right-of-way for Equalizing Canal No. 3. We will also require the East 35 feet of the North 370 feet of the West Half of the Northwest Quarter of the Northeast Quarter of said Section 26, LESS the right-of-way for Okeechobee Boulevard and also a parcel 70 feet in width lying immediately South of and adjacent to the South right-of-way line of Okeechobee Boulevard running from the East line to the West line of the West Half of the Northwest Quarter of the Northeast Quarter of said Section 26. The Lake Worth Drainage District will accept a Quit Claim Deed or an Easement, on our form, whichever the owner prefers,

Commissioner- Bailey , moved for approval of the petition.

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

Dennis Koehler, Chairman	-	Aye
Frank Foster, Vice Chairman	-	Aye
Bill Bailey, Member,		Aye
Norman R. Gregory, Member	-	Absent
Peggy B. Evatt, Member	-	Aye

The foregoing resolution was declared duly passed and adopted
this 18th day of March, 1980, confirming action of
28 February 1980.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Sue J. Ott*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

Charles H. ...
County Attorney

