

RESOLUTION NO. R- 83-126

RESOLUTION DENYING ZONING PETITION 82-122, REZONING AND SPECIAL EXCEPTION

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. 82-122 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 26 August 1982; 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 not be in harmony and compatible with the present and future development of the area concerned

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 26th day of August, 1982, that Petition No. 82-122, the Petition of JOHN M. MARTYN, TRUSTEE By H. John Hall, Agent, for the REZONING, FROM AR-AGRICULTURAL RESIDENTIAL DISTRICT TO RTS-RESIDENTIAL TRANSITIONAL SUBURBAN DISTRICT WITH A FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on a parcel of land in the Northwest 1/4 of Section 2, Township 41 South, Range 42 East, Being more particularly described as from the Intersection of the West line of the Northwest 1/4 and the North Right-Of-Way line of State Road No. 706, run thence Northerly 392.41 feet along said West line of Section 2, to an intersection with the Northwesterly Right-Of-Way line of the County Road known as Center Street and the Point of Beginning; thence Northeasterly on said Right-Of-Way line a distance of 2519.39 feet; thence Westerly, Angling 45° 27' 00" from the Southwest to West, a distance of 422.16 feet; thence Northerly Angling 90° 58' 00" from East to North a distance of 33.0 feet; thence Westerly, Angling 90° 58' 00" from South to West, a distance of 983.70 feet; thence Northerly, parallel to the said West line of the Northwest 1/4 of said Section, a distance of 414.14 feet, more or less, to the North line of said Northwest 1/4; thence Westerly,

along said North line, a distance of 320 feet to the Northwest corner of said Northwest 1/4; thence Southerly, along the said West line of the Northwest 1/4 a distance of 2237.47 feet, more or less, to the Point of Beginning, including the Plat of Plumosa Pines, which can be more particularly described as a part of the Northwest 1/4 of Section 2, Township 41 South, Range 42 East more particularly described as from the Northwest corner, run thence Easterly along the North line of said Section 2, a distance of 320 feet; thence run Southerly parallel to the West line of said Section 2, a distance of 414.14 feet to the Point of Beginning; thence continue Southerly on the same course a distance of 1494.47 feet to a Point on the Northwesterly Right-Of-Way line of Center Street; thence run Northeasterly along said Right-Of-Way line a distance of 200 feet; thence run Northerly, parallel to the West line of said Section 2, a distance of 1351.91 feet; thence run Westerly a distance of 137.14 feet to the Point of Beginning, Less and Except Lot No. 1. Said property located on the northeast corner of the intersection of Center Street and Thelma Street, approximately 350 feet north of West Ocean Boulevard was denied as advertised.

Commissioner Evatt, moved for denial of the petition. The motion was seconded by Commissioner Foster, and upon being put to a vote, the vote was as follows:

NORMAN GREGORY, CHAIRMAN	absent
PEGGY EVATT, VICE CHAIRMAN	Aye
BILL BAILEY, MEMBER	Aye
DENNIS KOEHLER, MEMBER	Aye
FRANK FOSTER, MEMBER	Aye

The foregoing resolution was declared duly passed and adopted this 25th day of January, 1983, confirming action of 26 August 1982.

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS  
BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *John C. [Signature]*  
County Attorney,

By: *Grace D. [Signature]*  
Deputy Clerk

