

RESOLUTION NO. R- 83-975

RESOLUTION APPROVING ZONING PETITION 78-261(A), Rezoning

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. 78-261(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 26th May 1983; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties and the **recommendatons** 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 proposed rezoning and special exception would be consistent with the Comprehensive Plan provided that improvements are made to the County's Thoroughfare **System to mitigate** this project's traffic impact and provided that the developer provides for the extension of sewer service to this property.
2. The proposed development as shown on the site plan would not be compatible with abutting properties due to noise and visual impacts.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 26th day May 1983, that Petition No. 78-261(A) the petition of **ISOSCELES, INC.**, CARL W. JOHNSON, JOHN S. LOUCKS, ELMER AND ANNE PETKO By Henry Skokowski, Agent, for the REZONING, FROM RH-RESIDENTIAL MULTIPLE FAMILY DISTRICT (HIGH DENSITY) IN-PART AND CG-GENERAL COMMERCIAL DISTRICT, IN-PART **TO** CG-GENERAL COMMERCIAL DISTRICT on part of the Southeast **1/4** of the Southwest **1/4** lying West of U.S. Highway No. 1, Section 33, Township 41 South, Range 43 East; described as follows:

Beginning **at** a point in the West line of the Southeast **1/4** of the

Southwest $\frac{1}{4}$ of Section 33, said point being 30 feet Northerly, measured at right angles, from the South line of said Section 33, thence Northerly along the West line of said Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 33, a distance of **634.72** feet to a point in the South line of land heretofore conveyed to Jack I. **Weissman** and Minnie Weissman, his wife; thence Easterly, parallel to the South line of said Section 33, and along the South line of said Weissman's land, 669.00 feet, more or less to a point in the centerline of U.S. Highway No. 1; thence Southwesterly along the centerline of said **U.S.** Highway No. 1, a distance of **658.65** feet, more or less, to a point in said line parallel to and 30 feet North of the South line of said Section 33, thence Westerly along said parallel line 516.4 feet, more or less, to the Point of Beginning, Excepting the West 30 feet thereof and subject to the right-of-way of U.S. Highway No, 1, as now laid out and in use:

Also less and excepting from the above described property, property sold by James **J.** Reddy to Blondell Hospital House, Inc., described as follows:

The North 58 feet of the South 664.74 feet of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, lying West of U.S. Highway No. 1, Section 33, Township 41 South, Range 43 East, being the North 58 feet of property purchased by James J. Reddy from Suburban Palm Beach, **Inc.**, also less that part of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ lying West of **U.S.** Highway No. 1, Section 33, Township 41 South, Range 43 East, described as follows:

Commencing at a point in the West line of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 33, said point being 30 feet Northerly, measured at right angles, from the South line of said Section 33, a distance of 213.53 feet to the Point of Beginning of the hereinafter described parcel; thence continue Easterly along said parallel line a distance of **259.59** feet to a point in the Westerly right-of-way line of U.S. Highway No. 1 (State Road **No.5**); thence Northerly along said Westerly right-of-way line a distance of 200.0 feet to a point, thence Westerly parallel to the South line of said Section 33, a distance of 259.59 feet to a point, thence Southerly, parallel to said Westerly right-of-way line of U.S. Highway No. 1, a distance of 200.0 feet to the Point of Beginning.

Together with the following described parcel:

The North 183.10 feet of the South 789.84 feet of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 33, Township 41 South, Range 43 East, less the West 140 feet thereof, and less that portion thereof lying East of the Westerly right-of-way line of State Road No. 5 (U.S. 1) as now laid out and in use.

Together with the following described parcel:

Beginning at a point on the West line of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 33, Township 41 South, Range 43 East, said point being 990 feet measured along the West line of said Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, North of the Southwest corner of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 33, thence Easterly parallel to the South line of said Section 33, 747 feet, more or less to the center line of U.S. Highway No. 1, as now laid out and in use; thence Southwesterly along the center line of U.S. Highway No. 1, 207.7 feet, more or less, to a point in a line parallel to, and 200 feet, measured at right angles, south of the first described course; thence Westerly along said parallel line, 699 feet, more or less, to the West line of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 33, thence Northerly along the West line of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 33, 200.16 feet, more or less, to the Point of Beginning; excepting from the above described property the West 30 feet thereof, also subject to the right-of-way of U.S. Highway No. 1, as now laid out and in use; also subject to easement to Florida Power and Light Company for public utility purposes,

Together with the following described parcel:

The East 110 feet of the West 140 feet of the North 183.10 feet of the South 789.84 feet of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 33, Township 41 South, Range 43 East. Said property location on the northwest corner of the intersection of U.S. No. 1 and Juno Road was approved as advertised.

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

Peggy E. Evatt, Chairman	-- AYE
Ken Spillias, Vice Chairman	-- NAY
Dennis P. Koehler, Member	-- AYE
Dorothy Wilken, Member	-- NAY
Bill Bailey, Member	-- AYE

The foregoing resolution was declared duly passed and
adopted this **30th** day of August , **1983** , confirming action
of 26th May 1983.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

BY *Lisa Cripp*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John Bartlett
County Attorney

