

RESOLUTION NO. R-85-656

RESOLUTION APPROVING ZONING PETITION 85-1 , 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. 85-1 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 24th January 1985; 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 petitioner agreed that the development shall retain onsite the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 73-4, as amended; and

WHEREAS, the petitioner agreed that the developer shall comply with Palm Beach County's Subdivision & Platting Ordinance 73-4 as amended; and

WHEREAS, the petitioner agreed that reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties; and

WHEREAS, the petitioner agreed that reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters; 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 Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY

COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 24th of January 1985, that Petition No. 85-1 the petition of DOROTHIE GOSS for the REZONING, FROM AR-AGRICULTURAL RESIDENTIAL DISTRICT TO RE-RESIDENTIAL ESTATE DISTRICT on a parcel of land lying in part of the South 1/2 of Section 36, Township 43 South, Range 41 East, being more particularly described as follows:

Commencing at the Southwest corner of said Section 36; Thence North 89 degrees 30' 35" East along the South line of said Section, a distance of 1246.26 feet;

Thence North 03 degrees 14' 05" East, a distance of 693.44 feet to the Point of Beginning of this description said point being 692.00 feet North of and parallel with the South line of said Section 36;

Thence South 89 degrees 30' 35" West along said parallel line, a distance of 350.22 feet to a point of intersection with a line that is 935.00 feet East of and parallel with the West line of said Section 36;

Thence North 00 degree 00' 42" East along said parallel line, a distance of 311.07 feet;

Thence North 89 degrees 30' 35" East, a distance of 337.68 feet;

Thence South 03 degrees 14' 05" West, a distance of 90.25 feet;

Thence North 89 degrees 30' 35" East, a distance of 30.06 feet;

Thence South 03 degrees 14' 05" West, a distance of 221.47 feet to the Point of Beginning.

Said parcel of land subject to a 30.00 foot ingress/egress easement for road purposes.

Subject to existing easements, rights-of-way, restrictions and reservation of record.

Together with:

Being a parcel of land lying in part of the South 1/2 of Section 35, Township 43 South, Range 41 East, being more particularly described as follows:

Commencing at the Southwest corner of said Section 36;

Thence North 89 degrees 30' 35" East along the South line of said Section 36, a distance of 1246.28 feet;

Thence North 03 degrees 14' 05" East, a distance of 693.44 feet to a

point being 692.00 feet North of and parallel with the South line of said Section 36;

Thence South 89 degrees 30' 35" West along said parallel line, a distance of 350.22 feet to a point of intersection with a line that is 935.00 feet East of and parallel with the West line of said Section 36;

Thence North 00 degree 00' 42" East along said parallel line, a distance of 311.07 feet to the Point of Beginning of this description;

Thence North 89 degrees 30' 35" East, a distance of 337.68 feet;

Thence South 03 degrees 14' 05" West, a distance of 90.25 feet;

Thence North 89 degrees 30' 35" East, a distance of 30.06 feet;

Thence North 03 degrees 14' 05" East, a distance of 360.19 feet more or less to a point of intersection with a line that is 206.00 feet more or less South of and parallel with the centerline of State Road 80;

Thence North 89 degrees 58' 59" West along said parallel line, a distance of 383.72 feet to a point of intersection with a line that is 935.00 feet East of and parallel with the West line of said Section 36;

Thence South 00 degree 00' 42" West along said parallel line, a distance of 272.77 feet to the Point of Beginning.

Said parcel of land subject to a 30.00 feet ingress/egress easement for road purposes.

Subject to existing easements, rights-of-way, restrictions and reservations of record.

Said property located on the west side of an unnamed 20 foot Road Easement, being bounded on the north by West Palm Beach Canal, approximately .7 mile west of U.S. 441 (S.R. 7) was approved as advertised with voluntary commitments.

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

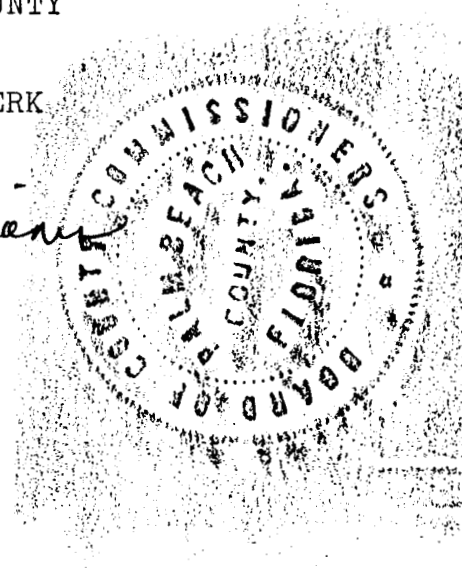
Ken Spillias, Chairman	---	AYE
Dorothy Wilken, Vice Chairman	--	ABSENT
Kenneth M. Adams, Member	--	AYE
Karen T. Marcus, Member	--	AYE
Jerry L. Owens, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 23rd day of April, 1985, confirming action of the 24th January 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Donna McWilliam
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Pandy Sprague
County Attorney