

RESOLUTION NO. R-85-966

RESOLUTION APPROVING ZONING PETITION 85-49, 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. 85-49 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 25th April 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 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 25th of April 1985, that Petition No. 85-49 the petition of RDI ASSOCIATES, By Russell Scott, Agent for the REZONING, FROM CN-NEIGHBORHOOD COMMERCIAL DISTRICT TO CG-GENERAL COMMERCIAL DISTRICT on Tract 1, a parcel of land as designated by "NOT INCLUDED" on the plat of Kokomo Trailer Subdivision as recorded in Plat Book 25, Page 127, said parcel being bounded on the North by the Northerly boundary fo said Kokomo Trailer Subdivision extended Easterly on the West by Apache Drive, on the South by Kokomo Drive, and on the East by Military Trail (State Road 809), all as shown on said plat of Kokomo Trailer Subdivision, said parcel of land being more particularly described as follows:

Commence at the South 1/4 corner of Section 36, Township 44 South, Range 42 East, thence run North 2 degrees 11'24" East along the East

line of the Southwest 1/4 of said Section 36, a distance of 1108.04 feet to a point of intersection with the Easterly extension of the Northerly boundary of said Kokomo Trailer Subdivision; thence run North 87 degrees 42'08" West along the Easterly extension of the Northerly boundary of said Kokomo Trailer Subdivision a distance of 49.72 feet to a point on the Westerly right-of-way line of said Military Trail, said point being the Point of Beginning of the following described parcel of land thence continue North 87 degrees 42'08" West along the last mentioned course a distance of 163.90 feet to a point on the Easterly right-of-way line of said Apache Drive said point being a Northeast corner of said Kokomo Trailer Subdivision thence run South 2 degrees 19'21" West along the Easterly right-of-way line of said Apache Drive and along an Easterly boundary of said Kokomo Trailer Subdivision a distance of 95.34 feet to a point on the Northerly right-of-way line of said Kokomo Drive; thence run South 87 degrees 40'39" East along the Northerly right-of-way line of said Kokomo Drive and along a Northerly boundary of said Kokomo Trailer Subdivision, a distance of 166.99 feet to a point on the Westerly right-of-way line of said Military Trail said right-of-way line being the arc of a curve concave to the East and having a radius of 2914.93 feet; thence run Northerly along the Westerly right-of-way line of said Military Trail and along the arc of said curve to the right having for its elements a radius of 2914.93 feet, a central angle of 1 degree 52'34" and a chord bearing of North 0 degree 27'53" East an arc distance of 95.45 feet to the Point of Beginning. Together with:

A part of that portion of a parcel of land as designated by "NOT INCLUDED" on the Plat of Kokomo Trailer Subdivision as recorded in Plat Book 25, Page 127, lying West of the East line of the Southwest 1/4 of Section 36, Township 44 South, Range 42 East, and being bounded on the North by Kokomo Drive, on the West by Apache Drive, and bounded partially on the East by Military Trail (State Road 809) all as shown on Plat of Kokomo Trailer Subdivision said parcel of land being more particularly described as follows:

Commence at the South 1/4 corner of said Section 36, thence run North

2 degrees 11'24" East, on an assumed bearing, along the East line of the Southwest 1/4 of said Section 36, a distance of 297.42 feet to the point of beginning; thence North 87 degrees 40'39" West, parallel with the right-of-way of Kokomo Drive as shown on said plat, a distance of 215.50 feet to an intersection with the East right-of-way line of said Apache Drive; thence North 2 degrees 19'21" East along the Easterly right-of-way line of said Apache Drive and along an Easterly boundary of said Kokomo Trailer Subdivision a distance of 675.19 feet to a point on the Southerly right-of-way line of said Kokomo Drive; thence run South 87 degrees 40'39" East along the Southerly right-of-way line of said Kokomo Drive and along a boundary line of said Kokomo Trailer Subdivision a distance of 169.21 feet to a point on the Westerly right-of-way line of said Military Trail, said right-of-way line being the arc of a curve concave to the East and having a radius of 2914.93 feet thence run Southeasterly along the Westerly right-of-way line of said Military Trail and along the arc of said curve to the left, having for its elements a radius of 2914.93 feet, a central angle of 7 degrees 10'36" and a chord bearing of South 4 degrees 50'57" East, an arc distance of 365.11 feet to a point of intersection with the East line of the Southwest 1/4 of said Section 36, thence run South 2 degrees 11'24" West along the East line of the Southwest 1/4 of said Section 36, a distance of 313.18 feet to the Point of Beginning. Said property located on the west side of Military Trail (S.R. 809), on the north and south side of Kokomo Drive being bounded on the west by Apache Drive was approved as advertised.

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

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

The foregoing resolution was declared duly passed and adopted this day of **JUN 25 1985** confirming action of the 25th April

1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Cheryl Beupie
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Lady Sprague
County Attorney