

RESOLUTION NO. R-87-910

RESOLUTION DENYING ZONING PETITION 84-77(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. 84-77(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on January 5, 1987; 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 not consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that: Petition No. 84-77(A), the petition of GREEN TURTLE ASSOCIATES By John L. Trusler, Agent, for a REZONING, FROM CG-GENERAL COMMERCIAL ZONING DISTRICT, IN PQRT, RND RH-MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICT (HIGH DENSITY), IN PRRT, ENTIRELY TO CG-GENERAL COMMERCIAL ZONING DISTRICT commencing at a point 150 feet West of the Northeast corner of the Southwest 1/4 of Section 3, Township 41 South, Range 42 East; thence West 100 feet; thence South 544.50

feet; thence East 100 feet; thence North 541.50 feet to the Point of Beginning. Less and excepting a square tract or parcel of land 108 feet on each side, lying and being in the Southwest corner of that tract or parcel of land. Commencing at point 160 feet West of the Northeast corner of the Southwest 1/4 of Section 3, Township 41 South, Range 42 East; thence West 100 feet; thence South 544.50 feet; thence East 100 feet; thence North 541.50 feet to the Point of Beginning. And further excepting that part of: "The West 100 feet of the East 260 feet of the North 444.5 feet of the East 1/4 of the Northeast 1/4 of the Southwest 1/4 of Section 3, Township 41 South, Range 42 East", lying within 70.00 feet of the centerline of survey for State Road 706; said centerline being described as follows: Commence on the West line of said Section 3 at a point South 0 degree 36'44" West 32.27 feet from the Northwest corner of the Southwest 1/4 of said Section 3; thence North 88 degree 22'40" East 578.25 feet to the beginning of said centerline; thence North 88 degree 22'44" East 2040.48 feet to the end of said centerline of survey at a point North 1 degree 55'52" East 68.95 feet from the Southeast corner of the Northwest 1/4 of said Section 3; less and except therefrom the existing Right-of-way for State Road 706. Together with: The West 70 feet of the North 444.5 feet of the North 344.5 feet of the East 1/4 of the Northeast 1/4 of the Southwest 1/4 being in Section 3, Township 41 South, Range 42 East. The North 336.92 feet of the East 1/2 of the West 1/2 of the East 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section 3, Township 41 South, Range 42 East. said property located on the south side of Indiantown Road (S.R. 706), approximately 150 feet west of Central Boulevard was denied, with prejudice.

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

Carol A. Roberts -- Absent
Jerry L. Owens -- Aye
Karen T. Marcus -- Aye
Dorothy Wilken -- Aye
Kenneth M. Adams -- Aye

The foregoing resolution was declared duly passed and adopted this 23rd day of June, 1987 confirming action of January 5, 1987.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Jina M. Eldridge
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY



County Attorney