

KESCLUTION NO. R-88-145

RESOLUTION WITHDRAWING ZONING PETITION S86-9

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 492.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. S86-9 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on November 18, 1986 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 local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that: Petition No. S86-9 (regarding Zoning Petition No. 81-94, Resolution No. R-81-877), the petition of the Board of County Commissioners, by Karen T. Marcus, Chairman, to revoke the Special Exception for a New and Used Automobile Sale and Repair Facility and Lot on certain parcels of land in Section 29, Township 43 South, Range 43 East, more particularly described as follows: Beginning at a point on the North Section line of Section 29, Township 43 South, Range 43 East, this point being 764 feet East of the East line of Madrid Park, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County in Plat Book 13, page 78 where it adjoins the North Section line of Section 29; thence running South parallel to the East line of Madrid Park a distance of 110 feet; thence East parallel to the North line of said Section a distance of 112.5 feet; thence North and parallel to the East line of Madrid Park a distance of 110 feet to the North Section line; thence West along the North Section line, a distance of 112.5 feet to the Point-of-Beginning; EXCEPTING therefrom the rights-of-way for drainage canals, be the aforesaid several dimensions, more or less; LESS also the Right-of-way for Okeechobee Boulevard; the East 12.5 feet of said Tract, running from North to South is reserved for roadway known

as Oklawaha Avenue, together with the following described parcel from a point on the North Section line of Section 29, Township 43 south, Range 43 East which point is 764 feet East of the East line of Madrid Park, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, in Plat Book 13, page 78 where it adjoins the North Section line of Section 29, run South on a line parallel to the East line of Madrid Park a distance of 110 feet to the Point Of Beginning; thence from said Point of Beginning continue South on a line parallel to the East line of Madrid Park a distance of 58 feet; thence run East on a line parallel to the North line of Section 29 a distance of 112.5 feet; thence run North on a line parallel to the East line of Madrid Park a distance of 50 feet; thence run West on a line parallel to the North Section line of Section 29 a distance of 112.5 feet to the Point of Beginning, SUBJECT to a perpetual easement over and upon the East 12.5 feet of the parcel hereinabove described for private road purposes, together with the following described parcel; From a point on the North line of said Section 29, which is 764 feet East of the East line of Madrid Park, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, in Plat Book 13, page 79 where it adjoins the North line of said Section 29; run South on a line parallel to the East line of Madrid Park a distance of 160 feet to the Point of Beginning and the Northwest corner of the parcel hereby conveyed; thence continue South parallel to the East line of Madrid Park a distance of 50 feet; thence run East on a line parallel to the North line of said Section 29, a distance of 112.5 feet; thence run North on a line parallel to the East line of Madrid Park a distance of 50 feet; thence run West on a line parallel to the North line of said Section 29, a distance of 112.5 feet to the Point of Beginning; SUBJECT to a perpetual easement over and upon the East 12.5 feet of the parcel hereby conveyed for private roadway purposes, together with the following described parcel: From a point on the North Section line of Section 29, Township 43 South, Range 43 East, which point is 876.5 feet of the East line of Madrid Park, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, in Plat Book 13, page 78 where it adjoins the North Section line of Section 29, run South parallel to the East line of Madrid Park a distance of 262 feet to the Point of Beginning; thence from said Point of Beginning continue South parallel to the East line of Madrid Park, a distance of 72 feet; thence run West parallel to the North line of Section 29 a distance of 102.5 feet; thence run North parallel to the East line of Madrid Park a distance of 72 feet; thence run East parallel to the North line of Section 29 a distance of 102.5 feet to the Point of Beginning; SUBJECT to an easement for private roadway purposes over the East 12.5 feet of the above described land, and TOGETHER WITH an easement for private roadway purposes from the Eastern end of the first above described land North to Okeechobee Road over the private roadway known as Oklawaha Avenue, together with the South 52 feet of the North 262 feet of the East 112.5 feet of the West 210 feet of the West 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 29, Township 43 South, Range 43 East, less Canal right-of-way, on property located at the southwest corner of the intersection of Okeechobee Boulevard and Oklawaha Avenue was withdrawn, without prejudice.

A motion to withdraw, without prejudice, Petition No. S86-9 was offered by Commissioner Owens, who moved its adoption. The motion was seconded by Commissioner Adams, and upon being put to a vote, the vote was as follows:

Kenneth P. Adams	--	Aye
Karen T. Marcus	--	Aye
Ken Spillias	--	Aye
Jerry L. Owens	--	Aye
Dorothy Wilken	--	Absent

The Chair thereupon declared the resolution duly passed and adopted this 2nd day of FEBRUARY, 1988 confirming action of November 18, 1986.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney