

RESOLUTION NO. R-89- 733

RESOLUTION APPROVING ZONING PETITION NO. 88-66
REZONING PETITION OF MRJ ENTERPRISES, INC.

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. 88-66 was presented to the Board of County Commissioners of Palm Beach County, sitting, as the Zoning Authority, at its public hearing conducted on July 28, 1988; 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, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development' commence in a timely manner; 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. 88-66, the petition of MRJ ENTERPRISES, INC., by Philip C. Rutherford, Agent, for a REZONING FROM RE-RESIDENTIAL ESTATE ZONING DISTRICT TO RT-RESIDENTIAL TRANSITIONAL ZONING DISTRICT on a parcel of land being a part of tracts 50 and 63, Block 11, and a part of Tracts 49 and 64, Block 11, Palm Beach Farms Company, Plat No.3, in Section 5 and 8, Township 44 South, Range 42 East, as recorded in Plat Book 2, Pages 45 through 54, inclusive; said parcel of land being more particularly described as follows:

Commencing at the Northwest corner of said Tract 50; thence, North 90 degrees 00' 00" East, along the North line of said Tract 50, a distance of 30.00 feet for a Point of Beginning;

Thence, South 00 degrees 00' 00 " East, along a line 30.00 feet East of, as measured at right angles to, the West line

of said Tracts 50 and 63, a distance of 1,289.68 feet; thence North 90 degrees 00' 00" East, along a line 30.00 feet North of, as measured at right angles to, the South line of said Tracts 63 and 64, a distance of 946.37 feet to a Point in the Westerly curved Right-of-way line of Lake Worth Drainage District Equalizing Canal E-2, said Point being a point on a Curve Concave Easterly, having a radius of 7,839.44 feet and whose Radius Point bears North 88 degrees 36' 49" East; thence, Northerly along said curve, and along said Right-of-way line, through a central angle of 09 degrees 29' 27", a distance of 1,298.59 feet to the intersection thereof with the North line of said Tract 49; thence; North 90 degrees 00' 00" West, along the North line of said Tracts 49 and 50, a distance of 1,084.92 feet to the Point of Beginning. Subject to Easements, Restrictions, Reservations and Rights-of-way of Record. The property being located on the northeast corner of the intersection of Dillman Road and Marginal Road, bounded on the east by Florida's Turnpike (Sunshine State Parkway) was approved as advertised.

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

Carol A. Roberts	--	Aye
Carol J. Elmquist	--	'Aye
Karen T. Marcus	--	Absent
Dorothy Wilken	--	Absent
Jim Watt	--	Aye

The foregoing resolution was declared duly passed and adopted. this 25th day of April, 1989 confirming action of July 28, 1988.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS:

JOHN B. DUNKLE, CLERK

BY:

Barbara Altman
COUNTY ATTORNEY

BY:

June Hardy
DEPUTY CLERK