

RESOLUTION NO. R-90-48

RESOLUTION APPROVING ZONING PETITION NO. **89-67**
REZONING PETITION OF URBAIN AND RACHEL L. DECARIE

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 have been satisfied; and

WHEREAS, Petition No. **89-67** was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on July **27, 1989**; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, 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, sitting as the Zoning Authority, made the following findings of fact:

- 1.** This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations.

WHEREAS, **402.5** of the Zoning Code requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. **89-67**, the petition of URBAIN AND RACHEL L. DECARIE, by Robert A. Bentz, Agent, for a REZONING FROM AR-AGRICULTURAL RESIDENTIAL ZONING DISTRICT TO RS-SINGLE FAMILY RESIDENTIAL ZONING DISTRICT on a parcel of land lying on a one acre parcel in the South **1/2** of the South **1/2** of Lot **8**, according to the Amended Plat of Section **12**, Township **45** South Range **42** East, Mary A. Lyman, et al, Plat Book **9**, Page **74**, more particularly described as follows:

(Note: The East line of the Northwest **1/4** of Section **12** is assumed to bear South **04** Degrees **39' 20"** West and all other bearings cited herein are relative thereto.)

Commencing at the Northeast corner of the Northwest **1/4** of Section **12**, Thence South **04** Degrees **39' 20"** West along the East line of said Northwest **1/4** a distance of **1007.14** feet, more or less, to the Easterly prolongation of the North line of the South **1/2** of Lot **8**, according to the Amended Plat of Section **12**, Township **45** South Range **42** East Mary A. Lyman Et Al, as recorded in Plat Book **9**, Page **74**, Thence N. **89** Degrees **20' 44"** West along the Easterly prolongation of the said North line of the South **1/2** of Lot **8** a distance of **50.12** feet to a concrete monument lying on the West Right-of-way line of

Military Trail (S.R. No.809): Thence South 04 Degrees 39' 20" West along said West Right-of-way line a distance of 168.01 feet to a point on the North line of the South 1/2 of the South 1/2 of said Lot 8; thence North 89 Degrees 26' 59" West along the North line of the South 1/2 of the South 1/2 of said Lot 8 a distance of 12.57 feet to the Point of Beginning of the hereinafter described parcel, said point of Beginning being the Northwest corner of Parcel C.R.D. No. 19, Urbain DeCarie and Rachel L. DeCarie, Official Record Book 2535, Page 97, Parcel Acquisition Map for Military Trail, Drawing No. 83224; Thence continue North 89 Degrees 26' 59" West along the North line of the South 1/2 of the South 1/2 of said Lot 8 a distance of 260.24 feet to a point on a line parallel with the West line of said Lot 8; Thence South 03 Degrees 43' 30" West along said parallel line a distance of 168.33 feet to a point on the South line of said Lot 8; Thence South 89 Degrees 33' 16" East along the South line of said Lot 8 a distance of 259.00 feet to the Southwest corner of aforesaid parcel C.R.D. No. 19; Thence North 04 Degrees 09' 26" East a distance of 167.93 feet to the point of Beginning, being located on the west side of Military Trail (SR 809), approximately .2 mile south of Hypoluxo Road, was approved on July 27, 1989, as advertised.

Commissioner Marcus moved for approval of the Resolution.

The motion was seconded by Commissioner Roberts and, upon being put to a vote, the vote was as follows:

Carol J. Elmquist, Chair	--	AYE
Ron Howard	--	AYE
Karen T. Marcus	--	AYE
Carole Phillips	--	AYE
Carol Roberts	--	AYE

The Chair thereupon declared the resolution was duly passed and adopted this 2nd day of January, 1990 .

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

Pauline Otter
COUNTY ATTORNEY

BY:

Jina M. Blair
DEPUTY CLERK

