

RESOLUTION NO. R-90-64

**RESOLUTION APPROVING ZONING PETITION NO. 89-54
REZONING PETITION OF LAKE WORTH TURNPIKE ASSOCIATES**

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. 89-54 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. 89-54, the petition of LAKE WORTH TURNPIKE ASSOCIATES, by Kieran J. Kilday, Agent, for a REZONING FROM AR-AGRICULTURAL RESIDENTIAL ZONING DISTRICT TO CG-GENERAL COMMERCIAL ZONING DISTRICT on a parcel of land lying in Tract 64, Block 24, Palm beach Farms Plat No. 3, Plat Book 2, pages 45 to 54, described as follows: Beginning at the Southwest corner of said Tract 64, thence run Northerly along the West line of said Tract a distance of 660.00 feet to the Northwest corner thereof; thence run Easterly along the North line of said Tract 329.28 feet to a point; thence run Southerly a distance of 660.00 feet to a point in the South line of said Tract; thence run Westerly 329.62 feet along the South line of said Tract to the Point of Beginning: less State Road 802 right-of-way and less the following described portion: Commencing at the intersection of the West line of said Tract 64, Block 24, and the North right-of-way line of State Road No. 802 (Lake Worth West Road), thence Northerly along the West line of said Tract 64, Block 24, a distance of 188.00 feet to the point of Beginning; thence continue Northerly, along the West line of said Tract 64, Block 24, a distance of 55.26 feet to a point: thence Easterly, making an angle with the preceding course of 80 degrees 27'25" measured from South to East, a distance of 25.02 feet to a point: thence Southerly, at right angles to the preceding

course, a distance of **54.50** feet to a point; thence Westerly, at right angles to the preceding course, a distance of **15.86** feet to the Point of Beginning and less the South **239.34** feet to the East **182.00** feet thereof, being located on the northwest corner of Lake Worth Road (40th Street South) and the Sunshine State Parkway (Florida's Turnpike), 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: *Richard Steiner*
COUNTY ATTORNEY

BY: *Jina M. Blair*
DEPUTY CLERK

