

RESOLUTION NO. R-90-349

RESOLUTION APPROVING ZONING PETITION NO. 89-96
REZONING PETITION OF K.E.I. PALM BEACH CENTRE, LTD. AND
KNIGHT 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 have been satisfied; and

WHEREAS, Petition No. 89-96 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on October 4, 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. 89-96, the petition of K.E.I. PALM BEACH CENTRE, LTD. AND KNIGHT ENTERPRISES, INC., by Kieran J. Kilday, Agent, for a REZONING FROM RH-MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICT (HIGH DENSITY), IN PART, AND CG-GENERAL COMMERCIAL ZONING DISTRICT, IN PART, ENTIRELY TO CG-GENERAL COMMERCIAL ZONING DISTRICT, a parcel lying in Section 5, Township 44 South, Range 43 East, described as follows: Beginning at the Southwest corner of Lot 28A of "Morrison Homes" in Plat Book 23, Page 189, 190; thence North 03 Degrees 26' 12" East along the West line of said Lot 28A, a distance of 100.01 feet; thence South 87 Degrees 33' 00" East, long the North line of said Lot 28A, a distance of 153.75 feet; thence North 03 Degrees 26' 12" East along the West line of Government Lot 3 of said Section 5, a distance of 598.21 feet to a point on the Southwest corner of a parcel described in Official Record Book 1872 at page 618; thence South 87 Degrees 33' 00" East along the South boundary line of said parcel for 138.00 feet; thence South 03 Degrees 26' 12" West along the westerly boundary line of a parcel of land described in Official Records Book 1891 at Page 12 for 10.00 feet; thence South 87 Degrees 33' 00" East along the Southerly boundary line of said parcel for 200.31 feet; thence North 03 Degrees 31' 45" East along the Easterly boundary line

of said parcel for 139.18 feet to a point on the southerly right-of-way line of the West Palm Beach Canal (said point being on the arc of a curve with a radial line thru said point bearing North 24 Degrees 08' 51" East); thence Southeasterly along the arc of said curve to the right having a radius of 2764.91 feet and a central angle of 07 Degrees 42' 52" for an arc distance of 372.27 feet to a point on the West line of the East 1/2 of said Government Lot 3 (said line also known as the West boundary line of "Oak Ridge", an unrecorded subdivision; thence South 03 Degrees 37' 18" West along said line for 846.98 feet to a point on the northerly line of the right-of-way described in Deed Book 931 at Pages 19 and 21; thence North 87 Degrees 33' 00" West along said North line, a distance of 337.35 feet to a point of intersection with the Northerly projection of the East line of Lot 14, "Morrison Suburban Development", Plat Book 20 Page 40 thence South 03 Degrees 26' 12" West along said projection line and the East line thereof, a distance of 223.88 feet; thence North 87 Degrees 33' 00" West along the South line of the North 1/2 of said Lot 14 and the Westerly projection thereof, a distance of 336.81 feet to a point of intersection with the East line of Lot 79 of "Morrison Homes"; thence South 03 Degrees 26' 12" West along said East line, a distance of 21.46 feet to the Southeast corner thereof; thence North 87 Degrees 33' 00" West along the South line of said Lot 79, a distance of 100.00 feet; thence North 02 Degrees 27' 00" East, a distance of 179.30 feet to the Northwest corner of said Lot 79; thence North 87 Degrees 33' 00" West along the North line of Lot 80 of said "Morrison Homes", a distance of 50.66 feet to a point of intersection with the Southerly projection of the West line of Lots 77 and 78 of said "Morrison Homes"; thence North 03 Degrees 26' 12" East along said projection line and the West line thereof, a distance of 246.03 feet to the Point of Beginning, and being located on the southeast and northeast sides of the intersection of Gun Club and Farmdale Road and bounded on the north by the Palm Beach Canal, was approved on October 4, 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
Karen T. Marcus	--	Aye
Carol Roberts	--	bye
Ron Howard	--	Aye
Carole Phillips	--	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 27th day of February, 1990.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Pauline Albert*
COUNTY ATTORNEY

BY: *June Williams*
DEPUTY CLERK

