

RESOLUTION NO. R-90- 581

RESOLUTION APPROVING ZONING PETITION NO. 89-110
REZONING PETITION OF RONALD P. GODFREY

WHEREAS, the Board of County Commissioners, as the governing **body**, pursuant to the authority vested in Chapter 163 and Chapter 105, 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.89-110** was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on October 26, 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. 89-110, the petition of RONALD P. GODFREY, BY ROBERT A. BENTZ, AGENT for a REZONING FROM AR-AGRICULTURAL RESIDENTIAL ZONING DISTRICT TO CG-GENERAL COMMERCIAL ZONING DISTRICT, the South 200.00 feet of the West 200.00 feet of the Northeast 1/4 of the Southeast 1/4 of the Southwest 1/4 and the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 1, Township 45 South, Range 42 East, Less the rights of ways for State Road No. 809, (Military Trail) and Hypoluxo Road.

As a point of reference start at the South 1/4 corner of said Section 1, and run Northerly along the East line of the Southwest 1/4 of said Section 1, for a distance of 104.05 feet; thence run North 88 Degrees 59' 33" West for a distance of 57.46 feet to the **intersection** of the West right-of-way line of State Road No. 809 (Military Trail) with the North right-of-way line of Hypoluxo Road, said point being also the Southeast corner of the parcel of land herein described; thence run North **88** Degrees 59' 33" West along the North right-of-way line of Hypoluxo Road for a distance of 605.36 feet to the Southwest corner of **the** parcel herein described, thence turning an angle of 91 Degrees 23' 23" with the previous course measured from East to North and run 1267.72 feet to the Northwest corner of the parcel herein described; thence turning an angle of 89

Degrees 12' 22" with the previous course, measured from South to East and run 613.65 feet to a point in the West right-of-way line of State Road No.809, said point being the Northeast corner of the parcel herein described; thence run Southerly along the West right-of-way line of State Road 809 which is at an angle of 90 Degrees 45' 05" with the previous course, measured from West to South, a distance of 880.09 feet to a point of curvature, to which curve the previous course is tangent; thence run Southerly along the said road right-of-way line which is the arc of a curve concave to the West having a radius of **11,409.19** feet and a central angle of 1 Degree 54' 28" a distance of 379.90 feet to the Point of Beginning, and being located on the North side of Hypoluxo Road, approximately .07 mile West of Military Trail (SR 809) was approved on October 26, 1989, as advertised.

Commissioner Phillips 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	--	ABSENT
Carol Roberts	--	AYE
Ron Howard	--	AYE
Carole Phillips	--	AYE

The Chair thereupon declared the resolution was duly passed and adopted this 3rd day of April, 1990.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Richard Altman*
COUNTY ATTORNEY

BY: *Kaylan White*
DEPUTY CLERK