

RESOLUTION NO. R-91-246

RESOLUTION APPROVING ZONING PETITION NO. 87-33(A)
REZONING PETITION OF
GATOR POND PROPERTIES 11, INC.
BY ROBERT E. BASEHART, AGENT

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. 87-33(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on July 26, 1990; 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. 87-33(A), the petition of GATOR POND PROPERTIES 11, INC., BY ROBERT E. BASEHART, AGENT FOR A REZONING FROM CG, IN PART, AND RH, IN PART, ENTIRELY TO CG, on a parcel of land known as Parcel A: Lots 13, 14 and 15, MEERDINK'S LITTLE RANCHES, as recorded in Plat Book 4, Page 50, less the East 15.00 feet of Lots 13, 14 and 15; The North 20.00 feet of Lot 13 and the external area formed by a 25.00 foot radius arc tangent to a line lying 20.00 feet South of, measured at right angles to, the North line of Lot 13 and tangent to a line lying 15.00 feet West of, measured at right angles to the East line of Lot 13, as recorded in Official Record Book 1655, Page 148; and, Parcel B: A parcel of land lying in and being in Section 30, Township 43 South, Range 43 East, said parcel being a portion of the 65.00 required right-of-way for E 3 1/2-13 Canal according to Lake Worth Drainage District Right-of-way Map, Sheet 229 of 240, dated May 1969 and recorded in Official Record Book 1732, Page 612, said portion being West of and adjacent to Lot 13, less the North 20.00 feet thereof, recorded in Plat Book 4, Page 50, and being more particularly described as follows: Commencing at the Northeast corner of said Section 30, thence southerly on an assumed bearing of South, along the East line of said Section 30 a distance of 1290.68 feet to a point, said point being the easterly extension of the South line of the 80.00 foot road right-of-way of Westgate Avenue; thence West along the South right-of-way line of Westgate

Avenue a distance of 254.20 feet to the Point of Beginning, said Point of Beginning also being on the West right-of-way line of said 65.00 foot Lake Worth Drainage District E 3 1/2-8 Canal, and the East line of the Plat of Westgate Estates, recorded in Plat Book 15, Page 16, thence South 02 degrees 48'36" West along the West right-of-way line of said Lake Worth Drainage District E 3 1/2-8 Canal a distance of 220.29 feet; thence East 65.08 feet to the East line of the required 65.00 feet Lake Worth Drainage District E 3 1/2-8 Canal, thence North 02 degrees 48'36" East along the said East right-of-way line of E 3 1/2-8 Canal a distance of 220.29 feet to the South right-of-way line of said Westgate Avenue; thence West along said right-of-way a distance of 65.08 feet to the Point of Beginning; and, Lot 16, 17, 18, 19, and 20, less the East 15.00 feet for road right-of-way, less the North 8.00 feet of Lot 20, less the South 8.00 feet and West 10.00 feet of Lot 19, MEERDINK'S LITTLE RANCHES, Plat Book 4, Page 50, and being located on the SOUTHWEST CORNER OF WESTGATE AVENUE AND CONGRESS AVENUE, was approved on July 26, 1990, as advertised.

commissioner Phillips moved for approval of the Resolution.

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

Karen T. Marcus, Chair	--	AYE
Carole Phillips	--	AYE
Carol Roberts	--	AYE
Carol J. Elmquist	--	AYE
Mary McCarty	--	AYE
Ken Foster	--	AYE
Maude Ford Lee	--	AYE

The Chair thereupon declared the resolution was duly passed and adopted this 26th day of February, 1991.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Barbara Otten*
COUNTY ATTORNEY

BY: *Maude Ford Lee*
DEPUTY CLERK