

RESOLUTION NO. R-91-978

RESOLUTION TO REVOKE A SPECIAL EXCEPTION &
IMPOSE ENTITLEMENT RESTRICTIONS
PETITION NO. 86-5(B)
PETITION OF BOARD OF COUNTY COMMISSIONERS

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. 86-5(B) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its Public Hearing conducted on March 28, 1991; 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 the 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, Chapter 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. 86-5(B), the petition of BOARD OF COUNTY COMMISSIONERS, BY KAREN MARCUS, CHAIR, to REVOKE A SPECIAL EXCEPTION FOR A PCD AND TO IMPOSE ENTITLEMENT RESTRICTIONS on a parcel of land lying in Section 11, Township 46 South, Range 42 East, COMMENCING at the East 1/4 corner of Section 11, thence with a bearing of South **89°20'58"** West, along the East-West 1/4 line of Section 11, a distance of 60.00 feet to a point with a bearing of South **00°19'42"** East, along the west right of way line of Military Trail right of way a distance of 286.15 feet to a point on the south right of way line of Via Delray, O.R. Book 2226, Page 1210; said point being the POINT OF BEGINNING; thence continue along the aforementioned west right of way line of Military Trail a distance of 384.84 feet; thence with a bearing of South **89°17'12"** West, a distance of 384.73 feet; thence with a bearing of North **00°39'02"** West, a distance of 410.40 feet to a point on the south right of way line of Via Delray; thence with a bearing of North **89°20'58"** East, along the south right of way line of Via Delray, a distance of 361.89 feet to a point; thence with a bearing of South **45°29'22"** East, a distance

of 35.46 feet more or less to the POINT OF BEGINNING; LESS a parcel lying in said Section 11, COMMENCING at the East 1/4 corner of Section 11, thence with a bearing of South 89°20'58" West, along the East-West 1/4 line of Section 11, a distance of 60.00 feet to a point on the west right of way line of Military Trail (S.R. 809); thence with a bearing of South 00°19'42" East, along the west right of way line of Military Trail right of way a distance of 286.15 feet to a point on the south right of way line of Via Delray, O.R. Book 2226, Page 1210; said point being the POINT OF BEGINNING; thence continue along the aforementioned west right of way line of Military Trail a distance of 184.86 feet; thence with a bearing of South 89°20'58" West, a distance of 209.00 feet; thence with a bearing of North 00°19'42" West, a distance of 210.00 feet to a point on the south right of way line of Via Delray; thence with a bearing of North 89°20'58" East, along the south right of way line of Via Delray, a distance of 183.86 feet to a point; thence with a bearing of South 45°29'22" East, a distance of 35.46 feet more or less to the POINT OF BEGINNING, and being located on the W. SIDE OF MILITARY TR., BOUNDED ON THE N. BY VIA DELRAY, APPROXIMATELY .1 MILE N. OF LAKE IDA RD. IN THE CG ZONING DISTRICT, was approved on March 28, 1991, as advertised.

Commissioner Elmquist 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:

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

The Chair thereupon declared the resolution was duly passed and adopted this 23rd day of July, 1991.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 
COUNTY ATTORNEY

JOHN B. DUNKLE, CLERK
BY: Jean Haverly
DEPUTY CLERK

