

RESOLUTION NO. R-93- 508

RESOLUTION APPROVING ZONING PETITION NO. 92-23
REZONING PETITION OF STEVE CRAIG., TR., EMMA WILSON, GENE
BARBATO, TR., SPEARS CORPORATION, INBAR AND PAT SCRUGGS,
SCHOOLEY CADILLAC, 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 (Ordinance 73-2, as amended, have been satisfied; and

WHEREAS, Petition No. 92-23 was presented to the Board of County Commissioners of Palm Beach County at its Public Hearing conducted on October 29, 1992; and

WHEREAS, the Board of County Commissioners 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 (Ordinance 73-2, as amended) and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations.
2. This proposal is compatible with the surrounding area and commercial development is appropriate in this location.

WHEREAS, Chapter 402.5 of the Zoning Code, requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 92-23 the petition of STEVE CRAIG, TR., EMMA WILSON, GENE BARBATO, TR., SPEARS CORPORATION, INBAR AND PAT SCRUGGS, SCHOOLEY CADILLAC, INC., By, Kieran J. Kilday, Agent, for a REZONING FROM MULTI-FAMILY (MEDIUM DENSITY) (RM) ZONING DISTRICT AND GENERAL COMMERCIAL (CG) ZONING DISTRICT TO GENERAL COMMERCIAL (CG) ZONING DISTRICT on a parcel of land lying in the southwest quarter (S.W. 1/4) of the southeast quarter (S.E. 1/4) of Section 25, Township 43 South, Range 42 East, Palm Beach County, Florida. and being more particularly described as follows: Commencing at the south quarter (S. 1/4) corner of said Section 25, run along the west line of the southeast quarter of said Section 25, said line also being the centerline of Military Trail (106' Right-of-way) N01°21'21"E a distance of 281.00 feet; thence leaving said west line, S88°31'24"E a distance of 100.00 feet to point of beginning of the herein described parcel; Thence S88°31'24" a distance of 371.65 feet to the northwest corner of Lot 1, Plat of Central Bank, as recorded in Plat Book 32, Page 145; thence along the westerly line of said Plat, No 1°27'39"E a distance of 393.22 feet to the northwest

corner of said plat; thence along the northerly line of said plat, **S88°44'02"E** a distance of 200.00 feet to the northeast corner of said plat, said point lying on the east line of the west one half of the southwest one-quarter of the southeast one quarter of said Section 20; thence, along the easterly line of said plat, **S01°27'39"W** a distance of 610.01 feet to a point on a curve concave to the northeast, having a radius of 901.93 feet, and whose center bears **N07°51'30"W**; thence northeasterly along said curve through a central angle of **37°26'56"**, an arch length of 589.51 feet to the point of tangency; thence **N44°41'34"E** a distance of 234.15 feet to a point on the east line of the southwest quarter, of the southeast quarter of said Section 25; thence along said east line **N01°29'53"E** a distance of 343.47 feet; thence leaving said east line **N02°53'17"W** a distance of 392.29 feet; thence **N01°29'53"E** a distance of 109.12 feet to a point on the north line of the southwest quarter of said Section 25; thence along said north line, **N88°41'07"W** a distance of 642.01 feet to a point on the east line of the west half of the southwest quarter of the southeast quarter of said Section 25; thence along said east line, **S01°27'39"W** a distance of 337.48 feet; thence **N88°38'42"W** a distance of 443.75 feet; thence **S01°27'39"W** a distance of 65.50 feet; thence **N88°38'42"W** a distance of 176.12 feet to a point on the easterly Right-of-way line of Military Trail (106' Right-of-way), thence along said easterly Right-of-way line **S01°21'21"W** a distance of 103.02 feet; thence leaving said easterly Right-of-way line, **S88°37'29"E** a distance of 7.00 feet to a point on the easterly Right-of-way line of Military Trail (120.00' Right-of-way); thence along said line, **S01°21'21"W** a distance of 168.52 feet; thence **N88°36'16"W** a distance of 7.00 feet to a point on the easterly Right-of-way line of Military Trail (106.00' Right-of-way); thence, along said line, **S01°21'21"W** a distance of 200.51 feet; thence **S88°32'35"E** a distance of 47.00 feet to a point on the easterly Right-of-way line of Military Trail (200' Right-of-way); thence along said line **S01°21'21"W** a distance of 192.59 feet point of beginning. Containing 25.211 acres more or less, and being located on the north side of Belvedere Rd., east side of Military Trail, west of Country Club Road, was approved on October 29, 1992, as advertised.

Commissioner Marcus moved for approval of the Resolution.

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

Mary McCarty, Chair	--	Aye
Ken Foster	--	Aye
Burt Aaronson	--	Aye
Maude Ford Lee	--	Aye
Karen T. Marcus	--	Aye
Warren H. Newell	--	Aye
Carol A. Roberts	--	Absent

The Chair thereupon declared the resolution was duly passed and adopted this 20 day of April, 1993.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, .FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: *Bushra Attam*
COUNTY ATTORNEY

BY: *Judith C. Holman*
DEPUTY CLERK