

RESOLUTION NO. R-98-565

RESOLUTION APPROVING ZONING PETITION Z75-144(B)
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF HESS REALTY
BY **SARA LOCKHART**, AGENT
(HESS STATION)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, 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 public hearing requirements, as provided for in Article 5 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20, as amended), have been satisfied; and

WHEREAS, Zoning Petition **Z75-144(B)** was presented to the Board of County Commissioners at a public hearing conducted on March 26, 1998; and

WHEREAS, ~~the~~ Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, the recommendations of the various county review agencies, and the recommendation of the Zoning Commission; and

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

1. This official zoning map amendment (rezoning) is consistent with the Palm Beach County Comprehensive Plan;
2. This official zoning map amendment (rezoning) is consistent with the requirements of the Palm Beach County Unified Land Development Code;
3. This official zoning map amendment (rezoning) is compatible with surrounding uses and zones, as defined in the Palm Beach County Unified Land Development Code, is generally consistent with existing uses and zones surrounding the subject **land**, and is ~~the~~ appropriate zoning district for the land;
4. This official zoning map amendment (rezoning) does not result in significantly adverse impacts on the natural environment, including but not limited to water, air, **stormwater** management, wildlife, vegetation, wetlands, and the natural functioning of the environment;
5. This official zoning map amendment (rezoning) will result in a logical and orderly development pattern;
6. This official zoning map amendment (rezoning) complies with Article 11 (Adequate Public Facilities Standards) of the Palm Beach County Unified Land Development Code; and,
7. This official zoning map amendment (rezoning) **is** consistent with the requirements of all other applicable local land development regulations.

WHEREAS, Article 5, Section 5.3.D.9 (Action by Board of County Commissioners) of the Palm Beach County Unified Land Development 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 Zoning Petition Z75-144(B), the petition of Hess Realty, by Sara Lockhart, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Neighborhood Commercial (CN) Zoning District to the General Commercial (CG) Zoning District on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as indicated on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on March 26, 1998.

Commissioner Newell moved for the approval of the Resolution.

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

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

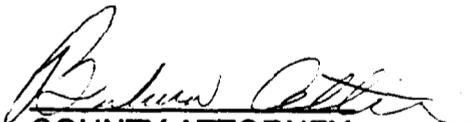
The Chair thereupon declared that the resolution was duly passed and adopted on April 23, 1998.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

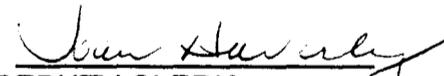
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK

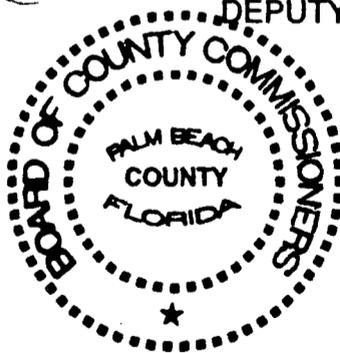


EXHIBIT A
LEGAL DESCRIPTION

LEGAL DESCRIPTION

ALL THAT PARCEL OF LAND LOCATED AT THE NORTHWEST CORNER OF CONGRESS AVENUE (S.R. NO. 807) AND LAKE WORTH ROAD (S.R. NO. 802) IN PALM BEACH COUNTY, FLORIDA AND DESCRIBED AS FOLLOWS:

A TRACT OF LAND IN THE PLAT OF "MILLERS ADDITION", AS RECORDED IN PLAT BOOK 16, PAGE 16 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF ABANDONED RIGHT-OF-WAY OF CORAL AVENUE (AS SHOWN ON SAID PLAT) WITH THE WEST RIGHT-OF-WAY LINE OF CONGRESS AVENUE (S.R. NO. 807), AS NOW CONSTRUCTED AND IN USE; THENCE ON AN ASSUMED BEARING OF DUE WEST ALONG SAID CENTER LINE, A DISTANCE OF 150.00 FEET; THENCE SOUTH 03 DEGREES 28 MINUTES 38 SECONDS EAST, A DISTANCE OF 215.86 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF LAKE WORTH ROAD (S.R. NO. 802), AS NOW CONSTRUCTED AND IN USE; THENCE DUE EAST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 150.00 FEET TO A POINT OF INTERSECTION WITH SAID WEST RIGHT-OF-WAY LINE OF CONGRESS AVENUE (S.R. NO. 807); THENCE NORTH 04 DEGREES 21 MINUTES 22 SECONDS WEST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 101.94 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1960.08 FEET, A CENTRAL ANGLE OF 03 DEGREES 19 MINUTES 50 SECONDS, FOR AN ARC DISTANCE OF 113.94 FEET TO THE POINT OF BEGINNING.

