

RESOLUTION NO. R-83-374

RESOLUTION APPROVING ZONING PETITION 83-1, Rezoning

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 No. 73-2 have been satisfied; and

WHEREAS, Petition No. 83-1 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 27th January 1983; 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, the Board of County Commissioners made the following findings of fact:

1. The proposal is permitted by the Comprehensive Plan.
2. The proposal satisfies all Mandatory Performance Standards,
3. The proposal will have no significant impact upon surrounding properties.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 27th day of January 1983, that Petition No. 83-1 the petition of SOUTHERN BELL TELEPHONE AND TELEGRAPH By Peter L. Schnieder, Agent, for the REZONING, FROM AR-AGRICULTURAL RESIDENTIAL DISTRICT TO RS-RESIDENTIAL SINGLE FAMILY DISTRICT on a certain parcel of land, lying in the West 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 13, Township 45 South, Range 42 East, said parcel being the same parcel of land described in and conveyed to Milton J. Gessner and Rita E. Gessner his wife by Warranty Deed Recorded in Official Record Book 2055, Page 1748; said parcel being more particularly described as follows: Commencing at the Northwest corner of the said West 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 13, Township 45 South, Range 42 East; run thence North 89°59'20" East along the North line of said West

1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 13,  
(The West line of the Northwest 1/4 of Section 13 is shown to  
bear North 0°27'11" West by the Right-of-Way Map for S.R. 809  
Section 9375-113 and all bearings mentioned herein are relative  
thereto), a distance of 440.54 feet more or less, to a line  
parallel with and 218.96 feet Westerly from, measured at right  
angles to, the East line of the West 1/2 of the Southwest 1/4  
of the Northwest 1/4 of Section 13; thence South 0°26'49" East  
along said parallel line, a distance of 500.49 feet more or less,  
to the westerly Right-of-Way line of Military Trail as shown  
aforesaid right-of-way map; said right-of-way being in the arc  
of a curve concave Southeasterly, having a radius of 1960.08  
feet, thence Southwesterly along the arc of said curve subtending  
a central angle of 16°18'24", a distance of 557.82 feet to the  
Point of Beginning of the herein described parcel, thence continue  
Southwesterly along the said Westerly right-of-way line of Military  
Trail and along the arc of said curve, subtending a central angle  
of 8°12'12" a distance of 280.64 feet more or less, to a line  
parallel with and 33 feet Easterly from, measured at right angles  
to, the West line of the said West 1/2 of the Southwest 1/4 of the  
Northwest 1/4 of Section 13; said parallel line being the Easterly  
right-of-way line of that certain 666 foot wide right-of-way  
referred to as Old Military Trail and S.R. No. 200 and more parti-  
cularly described in Deed Book 533, Page 153. Thence North 0°27'  
11" West along said Easterly right-of-way line, a distance of  
196.16 feet to the beginning of a curve concave Easterly, having  
a radius of 1008.74 feet: thence Northerly along the arc of said  
curve and said Easterly right-of-way line, subtending a central  
angle of 4°41'58", a distance of 82.74 feet more or less, to a  
point in the South line of the that certain parcel described in  
Official. Record Book 2276, Page 651; thence South 80°24'39" East

along said South line, a distance of 99.39 feet more or less to the Point of Beginning. Said property located on the north side of the intersection of Military Trail (S.R. 809) and Old Military Trail, approximately 1.5 miles east of Jog Road, was approved as advertised.

Commissioner Wilken, moved for approval of the petition. The motion was seconded by Commissioner Koehler, and upon being put to a vote, the vote was as follows:

Peggy E. Evatt, Chairman	Absent
Ken Spillias, Vice Chairman	Absent
Dennis P. Koehler, Member	Aye
Dorothy Wilken, Member	Aye
Bill Bailey, Member	Aye

The foregoing resolution was declared duly passed and adopted this 22nd day of March, 1983, confirming action of 27th January 1983.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: Darlene M. Harris  
Deputy Clerk

MAR 22 1983

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

John Cantel  
County Attorney