

RESOLUTION NO. R-84-518

RESOLUTION APPROVING ZONING PETITION 83-179, 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 482.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 83-179 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 22nd December 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 developer has voluntarily committed to file a Special Exception for a Planned Unit Development prior to development.

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

1. The proposed rezoning is consistent with the requirements of the Comprehensive Plan and Zoning Code.
2. A Unity of Title has been filed binding this property to the adjoining RM-zoned tract, thus making it suitable for residential development.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 22nd day December 1983, that Petition No. 83-179 the petition of ELWIN GENE MOODY By Beril Kruger, Agent, for the REZONING, FROM AR-AGRICULTURAL RESIDENTIAL DISTRICT TO RM-RESIDENTIAL MULTIPLE FAMILY DISTRICT (MEDIUM DENSITY) on a parcel of land lying in the West 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section 13, Township 4 South, Range 42 East, said parcel being more particularly described as follows:

Commencing at the Northwest corner of the East 100 feet of the West 1/2 of the West 1/2 of the Northeast 1/4 of the Southwest 1/4 of said Section

13; thence South 0 degrees 14'49" West, on an assumed bearing along the West line of the said East 100 feet, a distance of 60.0 feet to an intersection with the South line of the required right-of-way for Lake Worth Drainage District Lateral Canal No. 33 as shown on sheet 109 of 244 sheets dated May, 1969, and on file in the Palm Beach County Court House, said intersection being the Point of Beginning; thence continue South 0 degrees 14'49" West, along the said West line of the East 100 feet of the West 1/2 of the West 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section 13 a distance of 720.43 feet to a point in a line 547 feet North of and parallel with the North right-of-way line of State Road No. 806 (West Atlantic Avenue) as shown in Road Plat Book 3 at Page 27; thence North 89 degrees 06'10" West along said parallel line, distance of 3.18 feet; thence North 0 degrees 14'55" East a distance of 720.39 feet to an intersection with the said South line of the required right-of-way for Lake Worth Drainage District Lateral Canal No. 33; thence East, along said South right-of-way line, being 60 feet South of and parallel with the North line of the said West 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section 13, a distance of 3.16 feet to the Point of Beginning, Together with: the following described parcel, to wit:

The East 100 feet of the West 1/2 of the West 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section 13, Township 46 South, Range 42 East; less the right-of-way for State Road 806 (West Atlantic Avenue) and less the South 547 feet thereof; subject to a drainage easement for Lake Worth Drainage District over and across the North 60 feet of the above described parcels. Said property located approximately 547 feet north of West Atlantic Avenue (S.R. 806) being bounded on the north by Lake Worth Drainage District Lateral Canal No. 33 and approximately .3 miles east of Military Trail (S.R. 809) was approved as advertised, subject to voluntary commitment.

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:

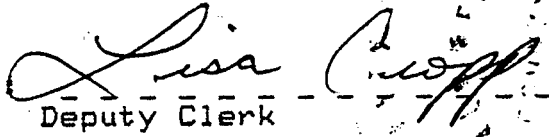
Peggy E. Evatt, Chairman	--	ABSENT
Ken Spillias, Vice Chairman	--	AYE
Dennis P. Koehler, Member	--	AYE
Dorothy Wilken, Member	--	AYE
Bill Bailey, Member	--	ABSENT

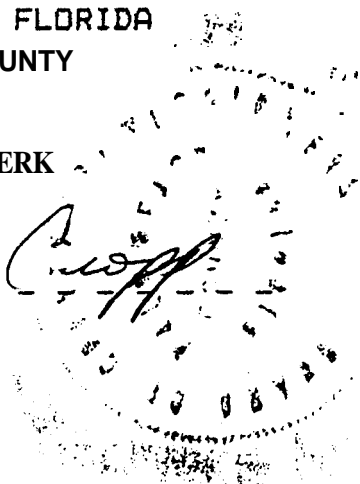
The foregoing resolution was declared duly passed and adopted this 17th day of April, 1984, confirming action of

22nd December 1983.

PALM BERCH COUNTY, FLORIDA
BY ITS BORRD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY 
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney

