

RESOLUTION NO. R-85-303

RESOLUTION DENYING ZONING PETITION 84-132, 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. 84-132 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 1st of November 1984; 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 consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 1st of November 1984, that Petition No. 84-132 the petition of CARTERET SAVINGS & LOAN ASSOCIATION, By Robert Schmier, Agent, for the REZONING, FROM AR-AGRICULTURAL RESIDENTIAL DISTRICT TO CG-GENERAL COMMERCIAL DISTRICT on Tracts 48, 49, 50, 51, 52, 53, 54 and 55, Block 76, Palm Beach Farms Company, Plat No. 3, in Section 17, Township 47 South, Range 42 East, as recorded in Plat Book 2, Pages 45 through 54 inclusive, Less the Right-of-way for Lyons Road as described in Official Record Book 2870, Page 1761 being more particularly described as follows:

Beginning at the Southeast corner of the above described parcel; thence West, a distance of 329.98 feet; thence South 13.00 feet; thence West 930.31 feet; thence North 40.00 feet; thence North 43

degree $30^{\circ}00''$ West, a distance of 36.27 feet to a point on the East Right-of-wayline of Lyons Road, the last five courses described being coincident with the North Right-of-way line of Glades Road (S.R.808); thence North 03 degree $00^{\circ}00''$ East, a distance of 344.78 feet to the Point of Curvature of a circular curve to the left; thence Northerly, along the arc of said curve, having a radius of 3873.72 feet, an arc distance of 202.83 feet to the Point of Tangency; thence North 508.51 feet, the last three courses described being coincident with said East Right-of-wayline, said point being on the arc of a circular curve to the left whose radius point bears North from the last described point, the last eight courses described being coincident with the South and West lines of the above described parcel; thence Northeasterly, along the arc of said curve, having a radius of 41.90 feet, an arc distance of 47.01 feet; thence North 89 degree $10^{\circ}20''$ East, a distance of 228.67 feet to the Point of Curvature of a circular curve to the right; thence Southeasterly, along the arc of said curve, having a radius of 126.03 feet, an arc distance of 156.31 feet to the Point of Tangency; thence South 19 degree $45^{\circ}55''$ East, a distance of 34.73 feet to the Point of Curvature of a circular curve to the left; thence Southeasterly, along the arc of said curve, having a radius of 198.27 feet, an arc distance of 97.96 feet to the Point of Tangency; thence South 48 degree $04^{\circ}21''$ East, a distance of 56.59 feet to the Point of Curvature of a circular curve to the right; thence Southeasterly, along the arc of said curve, having a radius of 69.00 feet, an arc distance of 47.97 feet to the Point of Tangency; thence South 08 degree $14^{\circ}30''$ East, a distance of 95.21 feet; thence South 24 degree $38^{\circ}57''$ East, a distance of 71.51 feet; thence South 37 degree $24^{\circ}55''$ East, a distance of 186.68 feet; thence South 07 degree $20^{\circ}54''$ East, a distance of 89.52 feet to the Point of Curvature of a circular curve to the left; thence Southeasterly, along the arc of said curve, having a radius of 127.19 feet, an arc distance of 149.86 feet to the Point of Tangency; thence South 74 degree $51^{\circ}23''$ East, a distance of 90.10 feet; thence South 88 degree $13^{\circ}24''$ East, a distance of 64.38 feet; thence North 76 degree $00^{\circ}40''$ East, a distance of 61.91 feet;

thence North 69 degree 28'43" East, a distance of 64.88 feet; thence North 88 degree 31'28" East, a distance of 211.57 feet to a point on the East line of the above described parcel; thence South, along said East line, a distance of 408.09 feet to the Point of Beginning of this description.

Less the following described parcel:

Beginning at the Southeast corner of the above described parcel; thence West, a distance of 329.98 feet; thence South, a distance of 13.00 feet; thence West, a distance of 930.31 feet; thence North, a distance of 40.00 feet, the last four courses described being coincident with the North Right-of-way line of Glades Road (S.R.808); thence East, a distance of 1260.92 feet to the Point of Beginning of this description.

Less the following described parcel:

Commencing at the Southeast corner of the above ⁸⁵ ~~described parcel~~ ³⁰³; thence West, a distance of 329.98 feet; thence South, a distance of 13.00 feet; thence West, a distance of 930.31 feet; thence North, a distance of 40.00 feet, the last four courses described being coincident with the North Right-of-way line of Glades Road (S.R.808) to the Point of Beginning of this description; thence North 43 degree 30'00" West, a distance of 36.27 feet to a point on the East Right-of-way line of Lyons Road; thence North 03 degree 00'00" East, a distance of 344.78 feet to the Point of Curvature of a Circular curve to the left; thence Northerly, along the arc of said curve, having radius of 3873.92 feet, an arc distance of 202.83 feet to the Point of Tangency, the last three courses described being coincident with the East Right-of-way line of said Lyons Road; thence South, a distance of 573.36 feet; thence West, a distance of 1.61 feet to the Point of Beginning of this description. Said property located on the northeast corner of the intersection of Glades Road (S.R.808) and Lyons Road was denied as advertised with prejudice.

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

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| Ken Spillias, Chairman | -- | AYE |
| Dorothy Wilkens, Vice Chairman | == | AYE |
| Peggy Evatt, Member | == | AYE |
| Dennis P. Koehler, Member | --- | NAY |
| Bill Bailey, Member | --- | NAY |

The foregoing resolution was declared duly passed and adopted this day of _____, FEB 19 1985 confirming action of the 1st of November 1984.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Patricia S. Weaver*
 Deputy Clerk



APPROVED AS TO FORM
 AND LEGAL SUFFICIENCY

Paddy Sprague
 County Attorney

FILED THIS DAY OF
 *2/19/85* 19
 AND RECORDED IN RESOLUTION
 MINUTE BOOK NO AT
 PAGE RECORD VERIFIED
 JOHN B. DUNKLE, CLERK
 BY *BSW* D.C.

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