

RESOLUTION NO. R- 85-580

RESOLUTION APPROVING ZONING PETITION 84-192, 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. 84-192 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 4th January 1985; 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. This 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 4th of January 1985, that Petition No. 84-192 the petition of SABRA ENTERPRISES, IWC., By David Dardashti, President, for the REZONING, FROM RH-RESIDENTIAL MULTIPLE FAMILY DISTRICT (HIGH DENSITY). TO CG-GENERAL COMMERCIAL DISTRICT on the West 1/2 of the East 1/2 of the Southeast 1/4 of the Northwest 1/4 and the East 1/2 of the West 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 3, Township 41 South, Range 42 East, less right-of-way of Central and Southern Florida Flood Control District. Subject to right-of-way for Indiantown Road (S.R. 706) as laid out and in use.

Together with that part of the West 1/4 of the Southeast 1/4 of the Northwest 1/4 and the East 1/2 of the Southwest 1/4 of the Northwest 1/4, lying South of Canal C-18 right-of-way of Central and Southern

Florida Flood Control District, in Section 3, Township 41 South, Range 42 East, subject to right-of-way for Indiantown Road (S.R. 706) as laid out and in use.

Less and excepting from the above described parcels 1 and 2 the following described parcels designated as (A), (B)(1) and (B)(2) which are also described in Official Record Book 3953, Page 1870:

Parcel (A): That part of the Southwest 1/4 of the Northwest 1/4 of Section 3, Township 41 South, Range 42 East, lying Southerly and Easterly of Canal C-18; lying within 141.00 feet of the centerline of survey; said survey line being described as follows:

Beginning on the West line of said Section 3; at a point South 0 degree 36'44" West 32.27 feet from the Northwest corner of the Southwest 1/4 of said Section 3; thence run North 88 degrees 22'40" East 831.69 feet to the end of said survey line; thence for a point of reference, continue North 88 degrees 22'40" East 1878.04 feet to a point North 1 degree 55'52" East 68.98 feet from the Southeast corner of the Northwest 1/4 of said Section 3; less and except therefrom the existing right-of-way for State Road 706.

Together with all rights of ingress, egress, light, air and view between the grantors' remaining property and any facility constructed on the above described property.

Parcel (B)(1): A portion of Section 3, Township 41 South, Range 42

East, being described as follows:

Commence at the Southeast corner of the Northwest 1/4 of said Section 3; thence run North 1 degree 55'52" East 119.08 feet to the North right-of-way line of State Road 706; thence South 88 degrees 22'44" West 327.75 feet along said line to the Point of Beginning; thence continue South 88 degrees 22'40" West 1462.40 feet along said line; thence North 1 degree 37'20" West 91.00 feet; thence South 88 degrees 22'40" West 61.60 feet to a point on a curve concave to the Southeasterly having a radius of 1193.47 feet; thence from a tangent bearing of North 39 degrees 32'40" East run Northeasterly along said curve 40.46 feet through an angle of 1 degree 56'33" to the end of this portion of said curve; thence North 88 degrees 22'40" East 95.98 feet; thence South 1 degree 37'20" East 101.00 feet; thence North 88

degrees 22'40" East 1402.05 feet; thence South 1 degree 45'49" West 20.04 feet to the Point of Beginning.

Also Parcel (B)(2): a portion of Section 3, Township 41 South, Range 2

East, being described as follows:

Begin on the South line of the Northwest 1/4 of said Section 3; at a point North 89 degrees 24'25" West 326.89 feet from the Southeast corner of the Northwest 1/4 of said Section 3; thence run North 89 degrees 24'25" West 160.69 feet to the South right-of-way of State Road 706; thence North 88 degrees 22'40" East 160.94 feet along said line; thence South 1 degree 45'49" West 6.22 feet to the Point of Beginning.

Subject to the following:

All matters contained in deed to State of Florida, for use and benefit of Florida Department of Transportation recorded in Official Record Book 3953, Page 1870, right-of-way of central and southern Florida Flood Control District (now South Florida Water Management District) recorded in Official Record Book 115, Page 236, right-of-way of State Road 706, including but not limited to such as shown in Road Plat Book 1, Pages 161 through 166, inclusive. Said property located on the north side of Indiantown Road, approximately .3 mile west of Carver Avenue was approved as advertised.

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

Ken Spillias, Chairman	--	AYE
Dorothy Wilkens, Vice Chairman	--	AYE
Kenneth M. Adams, Member	--	AYE
Karen T. Marcus, Member	--	AYE
Jerry L. Owens, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 9th day of April confirming action of the 4th January 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara O'Leary
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Judy Sprague
County Attorney