

RESOLUTION NO. R-85-951

RESOLUTION APPROVING ZONING PETITION 85-13, 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. 85-13 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 25th April 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 25th of April 1985, that Petition No. 85-13 the petition of HYPOLUXO PLAZA, LTD. AND LAKE WORTH DRAINAGE DISTRICT, By D.J. Snapp, 111, Agent for the REZONING, FROM AR-AGRICULTURAL RESIDENTIAL DISTRICT TO CG-GENERAL COMMERCIAL DISTRICT on Lot. 6, Amended Plat of Section 12, Township 45 South, Range 42 East, recorded in Plat Book 9, Page 74, more fully described as follows:

Commencing at the North 1/4 corner of said Section 12; thence on a true bearing of South 5 degrees 02'59" West along the centerline of said Section 12, a distance of 484.87 feet; thence South 84 degrees 57'01" East, a distance of 50.00 feet to a point on the Easterly right-of-way line of Military Trail, also being the Point of Beginning, thence South 5 degrees 02'59" West, along said Easterly right-of-way line, a distance of 179.88 feet; thence South 89 degrees

56'31" East, a distance of 623.13 feet; thence North 4 degrees 20'26" East, a distance of 628.12 feet to a point on the declared South right-of-way line of Lake Worth Drainage District Lateral No. 18; thence North 89 degrees 55'26" West along said declared South right-of-way line of Lateral No. 18, a distance of 624.08 feet to a point on a curve, said curve also being the Easterly right-of-way line of Military Trail; thence Southwesterly along said curve to the right, whose chord forms an included angle of 93 degrees 51'26" with last described course, having a radius of 11509.19 feet; a central angle of 2 degrees 13'57", for an arc distance of 448.45 feet to a point of tangency, also being the Point of Beginning. Together with; That part of the North 40 feet of Section 12, Township 45 South, Range 42 East, lying East of the right-of-way line of Military Trail (S.R. 809) as said right-of-way line is shown in Road Plat Book 1, Page 109 and lying West of the Northerly extension of the East line of Lot 6, amended plat of Section 12, Township 45 South, Range 42 East, recorded in Plat Book 9, Page 74, more fully described as follows:

Commence at the North 1/4 corner of said Section 12; thence South 89 degrees 54'03" East, along the North line of said Section 12, 39.79 feet to the said East right-of-way line of Military Trail and the point of beginning; thence continue South 89 degrees 54'03" East, along said North line, 628.82 feet to the intersection with the Northerly extension of the East line of said Lot 6; thence South 4 degrees 24'09" West, along said Northerly extension, 40.11 feet to a line 40.0 feet South of and parallel with the said North line of Section 12; thence North 89 degrees 54'03" West, along said parallel line, 627.64 feet to the said East right-of-way line of Military Trail; thence Northerly, along said East right-of-way line, being a curve concave Westerly with a radius of 11,509.19 feet, a central angle of 0 degree 11'58" and a chord bearing of North 2 degrees 43'04" East, a distance of 40.06 feet to the said Point of Beginning. Said property located on the southeast corner of the intersection of Military Trail (S.R. 809) and Hypoluxo Road was approved as advertised.

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

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

The foregoing resolution was declared duly passed and adopted this day of **JUN 25 1985** confirming action of the 25th April 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Cheryl Beausie
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Randy Sprague
County Attorney