RESOLUTION NO. R- 85-1230

RESOLUTION APPROVING ZONING PETITION 85-63, 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. 85-63 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 28th June 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 recommenaations of the Planning Commission; and

WHEREAS, the petitioner agreed that the development shall retain onsite the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 73-4, as amended; and

WHEREAS, the petitioner agreed that the property owner shall convey for the ultimate right-of-way of Palmwood Road (Prosperity Farms Road) 54 feet from centerline, approximately an additional 14 feet within 90 days of adoption of the Resolution by the Board of County Commissioners; conveyance must be accepted by Palm Beach County prior to issuance of first Building Permit; and

WHEREAS, the petitioner agreed that he shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting; 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 28th of June 1985, that Petition No. 85-63 the

petition of WILLIAM FAGAN, By Jean Peterson, Agent, for the REZONING, FROM AR-AGRICULTURAL RESIDENTIAL DISTRICT TO RS-RESIDENTIAL SIKGLE FAMILY DISTRICT commencing at the Northwest corner of Section 20, Township 41 South, Range 43 **East,** thence South 87 degrees 53'27" East, along the North line of Section 20, a distance of 954.13 feet to a point in the Westerly right-of-way line of the Intracoastal Waterway; thence South 07 degrees 58'40" East, along said right-of-way line a distance of 51.08 feet to a point; thence South 11 degrees 58'25" West, along said right-of-way line, a distance of 708.94 feet to a point; thence South 22 degrees 21'37" East, along said right-of-way line, a distance of 139.99 feet to the Point of Beginning; thence North *87* degrees 53'27" West, a distance of 211.41 feet to a point in the Easterly right-of-way line of Palmwood Road; thence Southerly and Southeasterly, along said right-of-way line on the arc of a curve concave Northeasterly having a radius of 2824.93 feet, through a central angle of 1 degree 59'02", a distance of 97.81 feet to a point; thence South 87 degrees 53'27" East, a distance of 217.36 feet to a point in the Westerly right-of-way line of the Intracoastal Waterway; thence North 22 degrees 21'37" West, a distance of 100.00 feet to the Point of Beginning. (Sometimes referred to on unrecorded plat as lot 5). Said property located on the east side of Palmwood Road approximately .8 mile north of Donald Ross Road was approved as advertised subject to voluntarily commitments.

Commissioner Wilken , 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	-- **Absent**
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 13th day of August confirming action of the 28th June 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Cheryl Beaupre*
Deputy Clerk
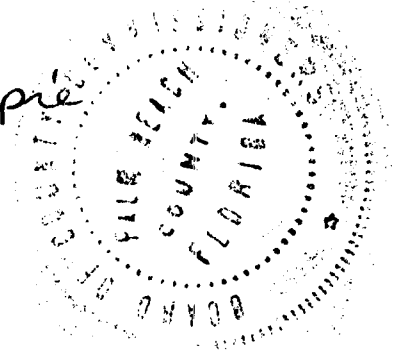
APPHOVED AS TO FORM
AND LEGAL SUFFICIENCY

County Attorney