

'RESOLUTION NO. R-85-1971

RESOLUTION DENYING ZONING PETITION 85-127, Special Exception

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. 85-127 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 9th October 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 inconsistent 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 9th of October 1985, that Petition No. 85-127 the petition of FEDERATED REALTY, INC., By William R. Boose, 111, Attorney, for a SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on all of the Plat of Pinecrest Park, as recorded in Plat Book 4, Page 11, Together with Tracts 11 through 24, inclusive, and Tracts 45 through 48, inclusive of the Palm Beach Farms Company, Plat No. 1, as recorded in Plat Book 2, pages 26 through 28, inclusive, all lying in Section 21, Township 46 South, Range 42 East; Together with a part of those certain 15 foot and 30 foot Platted Palm Beach Farms Company Road Rights-of-way lying adjacent and contiguous to said Tracts; all being more particularly described as follows: Commencing at the North 1/4 corner of said Section 21; Thence bear South 01 degrees 54'12"

East, along the East line of the Northwest 1/4 of said Section 21, a distance of 789.31 feet for a Point Of Beginning; Thence, continue, South 01 degrees 54'12" East, along said line, a distance of 1218.34 feet; Thence, South 89 degrees 08'53" West, along the South line of said Plat of Pinecrest Park and along the South lines of said Tracts 45 through 48, inclusive, a distance of 2667.04 feet to the Southwest corner of said Tract 48; Thence, North 01 degrees 52'26" West, along the West lines of said Tracts 17 and 48, a distance of 1341.31 feet to the Northwest corner of said Tract 17; Thence, North 89 degrees 19'30" East, along the North line of said Tract 17, a distance of 60.01 feet to the East Right-of-way Line of Lake Worth Drainage District Canal E-2, as recorded in Official Record Book 2736, page 416; Thence, North 01 degrees 52'26" West, along said Right-of-way line, a distance of 647.07 feet to the North line of said Tract 16; Thence, North 89 degrees 22'49" East, along said North line, a distance of 272.16 feet to the Northeast corner of said Tract 16; Thence, South 01 degrees 52'09" East, along the East line of said Tract 16, a distance of 43.01 feet to the South Right-of-way Line of Lake Worth Drainage District Lateral Canal L-34 as recorded in Deed Book 148, page 497; Thence, North 89 degrees 22'49" East, along said Right-of-way Line, a distance of 332.18 feet to the East line of said Tract 15; Thence, South 01 degrees 51'49" East, along said East line, a distance of 11.00 feet to the South Right-of-way line of Lake Worth Drainage District Lateral Canal L-34 as recorded in Deed Book 113, page 76; Thence, North 89 degrees 22'49" East, along said Right-of-way line, a distance of 1027.21 feet; Thence, South 00 degrees 41'38" East, a distance of 706.39 feet; Thence, North 89 degrees 18'22" East, a distance of 989.60 feet to the Point Of Beginning. Said property located on the south side of Delray West Road (S.R. 806) approximately 850 feet east of Florida's Turnpike (Sunshine State Parkway) and being bounded on the north by L.W.D.D. Lateral Canal No. 34 and on the west by L.W. D. D. E-2 Canal was denied as advertised.

Commissioner Spillias, moved for denial of the petition. The motion was seconded by Commissioner Wilken, and upon being

put to a vote, the vote was as follows:

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

The foregoing resolution was declared duly passed and adopted this 3rd day of December 1985 confirming action of the 9th October 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Linda C. Nickman
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Audrey Bryson
County Attorney

FILED THIS DAY OF
 DEC. 03 1985, 19
 AND RECORDED IN
 MINUTE BOOK NO. AT
 PAGE, RECORD VERIFIED
 JOHN B. DUNKLE, CLERK
 BY LH D.C.