

RESOLUTION NO. R-2000- 1231

RESOLUTION APPROVING ZONING PETITION Z75-104(A)
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF MARATHON ASHLAND PETROLEUM, LLC
BY ROBERT E. BASEHART, AGENT
(SPEEDWAY # 8361)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, 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 public hearing requirements, as provided for in Article 5 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20, as amended), have been satisfied; and

WHEREAS, Zoning Petition Z75-104(A) was presented to the Board of County Commissioners at a public hearing conducted on August 24, 2000; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, the recommendations of the various county review agencies, and the recommendation of the Zoning Commission; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This official zoning map amendment (rezoning) is consistent with the Palm Beach County Comprehensive Plan;
2. This official zoning map amendment (rezoning) is consistent with the requirements of the Palm Beach County Unified Land Development Code;
3. This official zoning map amendment (rezoning) is compatible with surrounding uses and zones, as defined in the Palm Beach County Unified Land Development Code, is generally consistent with existing uses and zones surrounding the subject land, and is the appropriate zoning district for the land;
4. This official zoning map amendment (rezoning) does not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment;
5. This official zoning map amendment (rezoning) will result in a logical and orderly development pattern;
6. This official zoning map amendment (rezoning) complies with Article 11 (Adequate Public Facilities Standards) of the Palm Beach County Unified Land Development Code; and,
7. This official zoning map amendment (rezoning) is consistent with the requirements of all other applicable local land development regulations.

WHEREAS, Article 5, Section 5.3.D.9 (Action by Board of County Commissioners) of the Palm Beach County Unified Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Petition Z75-104(A), the petition of Marathon Ashland Petroleum, LLC, by Robert E. Basehart, agent, for an OFFICIALZONING MAPAMENDMENT(REZONING) from the Neighborhood Commercial (CN) Zoning District to the General Commercial (CG) Zoning District on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as indicated on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on August 24, 2000.

Commissioner Roberts moved for the approval of the Resolution.

The motion was seconded by Commissioner Marcus and, upon being put to a vote, the vote was as follows:

Maude Ford Lee, Chair		Aye
Warren Newell, Vice Chair	-	Aye
Karen T. Marcus		Aye
Carol A. Roberts		Aye
Mary McCarty		Aye
Burt Aaronson		Aye
Tony Masilotti		Aye

The Chair thereupon declared that the resolution was duly passed and adopted on August 24, 2000.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: *Robert Otter*
COUNTY ATTORNEY

BY: *Joan Harvey*
DEPUTY CLERK

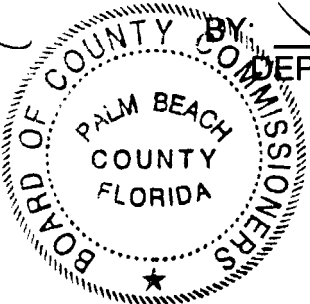


EXHIBIT A

LEGAL DESCRIPTION

THE SOUTH 165.00 FEET OF THE WEST 175.00 FEET OF TRACT 66, SUBDIVISION OF SECTION 19, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT, IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 6, PAGE 66, LESS AND EXCEPT, HOWEVER, THE SOUTH 15.00 FEET AND THE WEST 25.00 FEET THEREOF AND LESS THE AREA BOUNDED ON THE NORTHEAST BY THE CHORD OF A CURVE HAVING A RADIUS OF 20.00 FEET, ON THE SOUTH BY THE NORTH LINE OF THE SOUTH 15.00 FEET OF SAID TRACT 66 AND ON THE WEST BY THE EAST LINE OF THE WEST 25.00 FEET OF SAID TRACT 66.

SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE POINT OF INTERSECTION OF A LINE LYING 190.00 FEET NORTH OF, AND PARALLEL WITH, THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 19, WITH A LINE LYING 190.00 FEET EAST OF, AND PARALLEL WITH, THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 19; THENCE SOUTH 02 DEGREES 04 MINUTES 34 SECONDS WEST, PARALLEL WITH THE WEST LINE OF SAID SECTION 19, FOR 150.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF LAKE WORTH ROAD; THENCE NORTH 87 DEGREES 40 MINUTES 14 SECONDS WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, FOR 130.09 FEET; THENCE NORTH 42 DEGREES 47 MINUTES 50 SECONDS WEST FOR 28.22 FEET TO THE EAST RIGHT-OF-WAY LINE OF KIRK ROAD; THENCE NORTH 02 DEGREES 04 MINUTES 34 SECONDS EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, FOR 130.09 FEET; THENCE SOUTH 87 DEGREES 40 MINUTES 14 SECONDS EAST, PARALLEL WITH THE SOUTH LINE OF SAID SECTION 19, FOR 150.00 FEET TO THE POINT OF BEGINNING.
(CONTAINING: 22,302 SQUARE FEET)

LEGAL DESCRIPTION: ADDITIONAL PARCEL

A PORTION OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE POINT OF INTERSECTION OF A LINE LYING 190.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 19 WITH A LINE LYING 190.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 19; THENCE NORTH 87 DEGREES 40 MINUTES 14 SECONDS WEST ALONG THE NORTH LINE OF THE SOUTH 190.00 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION 19 FOR A DISTANCE OF 16.66 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 87 DEGREES 40 MINUTES 14 SECONDS WEST ALONG SAID NORTH LINE FOR A DISTANCE OF 133.34 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF KIRK ROAD; THENCE RUN NORTH 02 DEGREES 04 MINUTES 34 SECONDS EAST ALONG SAID EAST RIGHT-OF-WAY LINE FOR A DISTANCE OF 150.00 FEET TO A POINT; THENCE RUN SOUTH 87 DEGREES 40 MINUTES 14 SECONDS EAST FOR A DISTANCE OF 133.34 FEET TO A POINT; THENCE RUN SOUTH 02 DEGREES 04 MINUTES 34 SECONDS WEST FOR A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.
(CONTAINING: 20,001 SQUARE FEET).

EXHIBIT B
VICINITY SKETCH

