

RESOLUTION NO. R-2001-1363

RESOLUTION APPROVING ZONING PETITION Z1988-072(B)
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF SOHIO OIL AND ANN THROGMORTON
BY SARA LOCKHART, AGENT
(BP AMOCO)

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 Z1988-072(B) was presented to the Board of County Commissioners at a public hearing conducted on August 23, 2001; 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 Z1988-072(B), the petition of Sohio Oil and Ann Throgmorton, by Sara Lockhart, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Agricultural Residential (AR) and General Commercial/Planned Commercial Development (CG/PCD) Zoning District to the Community Commercial (CC) Zoning District on a parcel of land legally described in EXHIBITA, 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 23, 2001.

Commissioner Masilotti moved for the approval of the Resolution.

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

Warren H. Newell, Chairman	-	Aye
Carol A. Roberts, Vice Chair	-	Absent
Karen T. Marcus	-	Aye
Mary McCarty	-	Aye
Burt Aaronson	-	Aye
Tony Masilotti	-	Aye
Addie L. Greene	-	Aye

The Chair thereupon declared that the resolution was duly passed and adopted on August 23, 2001.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK

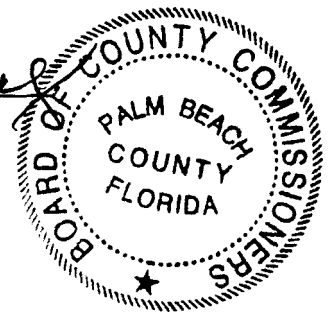


EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION: PARCEL 1

BEING A PARCEL OF LAND IN TRACT 1 OF THE NORTHWEST 1/4 OF THE MARY A. LYMAN PLAT OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 9, PAGE 74, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 12; THENCE SOUTH 04'39'09" WEST (STATE PLANE GRID DATUM) ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 12, A DISTANCE OF 53.10 FEET TO A POINT ON A LINE THAT IS 53.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 12; THENCE NORTH 88°50'22" WEST ALONG SAID PARALLEL LINE 58.15 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88°50'22" WEST, 222.24 FEET; THENCE SOUTH 03°11'52" WEST, 243.72 FEET; THENCE SOUTH 89°10'58" EAST, 222.66 FEET TO A POINT OF NON-TANGENT GOING ON A LINE THAT IS 50.00 FEET WEST OF AND CONCENTRIC WITH THE CENTER LINE OF MILITARY TRAIL (S.R. 809); THENCE NORTHERLY ALONG SAID CONCENTRIC LINE BEING AN ARC OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 11,409.16 FEET, A CENTRAL ANGLE OF 01°13'02", A CHORD DISTANCE OF 242.38 FEET BEARING NORTH 03°06'36" EAST; AN ARC DISTANCE OF 242.38 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION: PARCEL 2

BEING A PARCEL OF LAND IN TRACT 1 OF THE NORTHWEST 1/4 OF THE MARY A. LYMAN PLAT OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 9, PAGE 74, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 12; THENCE SOUTH 04'39'09" WEST (STATE PLANE GRID DATUM) ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 12, A DISTANCE OF 53.10 FEET TO A POINT ON A LINE THAT IS 53.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 12; THENCE NORTH 88°50'22" WEST ALONG SAID PARALLEL LINE 280.39 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 88°50'22" WEST ALONG SAID RIGHT OF WAY LINE OF HYPOLUXO ROAD FOR 35.12 FEET; THENCE SOUTH 03°11'52" WEST FOR A DISTANCE OF 288.68 FEET; THENCE SOUTH 89°10'58" EAST FOR A DISTANCE OF 240.29 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF MILITARY TRAIL AND THE ARC OF A CIRCULAR CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 11392.16 FEET TO WHICH A RADIAL LINE BEARS NORTH 86°03'07" WEST; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY OF MILITARY TRAIL FOR A DISTANCE OF 44.77 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°13'31" TO A POINT; THENCE NORTH 89°10'58" WEST FOR A DISTANCE OF 205.64 FEET; THENCE NORTH 03°11'52" EAST FOR A DISTANCE OF 243.72 FEET TO THE POINT OF BEGINNING.

EXHIBIT A

LEGAL DESCRIPTION

LESS THE FOLLOWING: (RIGHT OF WAY FOR MILITARY TRAIL)

BEING A PARCEL OF LAND IN TRACT 1 OF THE NORTHWEST 1/4 OF THE MARYA. LYMAN PLAT OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 9, PAGE 74, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 12; THENCE SOUTH 04'39'09" WEST (STATE PLANE GRID DATUM) ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 12, A DISTANCE OF 53.10 FEET TO A POINT ON A LINE THAT IS 53.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 12; THENCE NORTH 88°50'22" WEST ALONG SAID PARALLEL LINE 58.15 FEET TO POINT OF NON-TANGENCY, BEING ON A LINE THAT IS 50.00 FEET WEST OF AND CONCENTRIC WITH THE CENTER LINE OF MILITARY TRAIL (S.R. 809), SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE NORTH 88°50'22" WEST ALONG SAID LINE, 42.62 FEET TO A POINT OF CUSP WITH A 25.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTH 43'06'13" EAST ALONG THE CHORD OF SAID 25.00 FEET RADIUS CURVE, A DISTANCE OF 35.80 FEET TO A POINT OF COMPOUND CURVATURE OF SAID 25.00 FOOT RADIUS CURVE, AND BEING ON A CONCENTRIC LINE 67.00 FEET WEST OF THE CENTER LINE OF MILITARY TRAIL (S.R. 809); THENCE SOUTHERLY ALONG SAID CONCENTRIC LINE BEING AN ARC OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 11392.16 FEET; A CENTRAL ANGLE OF 01°05'26", A CHORD DISTANCE OF 216.83 FEET BEARING SOUTH 03°10'44" WEST, AN ARC DISTANCE OF 216.83 FEET TO A POINT OF NON-TANGENCY; THENCE SOUTH 89°10'58" EAST, 17.02 FEET TO A POINT BEING ON A LINE THAT IS 50.00 FEET WEST OF AND CONCENTRIC WITH THE CENTER LINE OF MILITARY TRAIL (S.R. 809); THENCE NORTHERLY ALONG SAID CONCENTRIC LINE BEING AN ARC OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 11409.16 FEET, A CENTRAL ANGLE OF 01°13'02", A CHORD DISTANCE OF 242.38 FEET, BEARING NORTH 03°06'36" EAST, AN ARC DISTANCE OF 242.38 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION: OVERALL PARCEL

BEING A PARCEL OF LAND IN TRACT 1 OF THE NORTHWEST 1/4 OF THE MARYA. LYMAN PLAT OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 9, PAGE 74, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 12; THENCE SOUTH 04'39'09" WEST (STATE PLANE GRID DATUM) ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 12, A DISTANCE OF 53.10 FEET TO A POINT ON A LINE THAT IS 53.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 12; THENCE NORTH 88°50'22" WEST ALONG SAID PARALLEL LINE 100.77 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88°50'22" WEST ALONG THE SOUTH RIGHT OF WAY LINE OF HYPOLUXO ROAD FOR A DISTANCE OF 214.74 FEET; THENCE SOUTH 03°11'52" WEST FOR A DISTANCE OF 288.68 FEET; THENCE SOUTH 89°10'58" EAST FOR A DISTANCE OF 240.29 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF MILITARY TRAIL AND THE ARC OF A CIRCULAR CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 11,392.16 FEET TO WHICH A RADIAL LINE BEARS NORTH 86°03'07" WEST; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY OF MILITARY TRAIL FOR A DISTANCE OF 261.61 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°18'57" TO A POINT OF TANGENCY; THENCE NORTH 43'06'13" WEST FOR A DISTANCE OF 35.80 FEET TO THE POINT OF BEGINNING.

EXHIBIT B
VICINITY SKETCH

