

RESOLUTION NO. R-93-248

RESOLUTION APPROVING ZONING PETITION Z/CA92-37  
OFFICIAL ZONING MAP AMENDMENT (REZONING)  
PETITION OF PINETREE GOLF CLUB, INC.

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 hearing requirements, as provided for in Article 5 (Development Review Procedures) of the Palm Beach County Land Development Code (Ordinance 92-20), have been satisfied; and

WHEREAS, Zoning Petition Z/CA92-37 was presented to the Board of County Commissioners at a public hearing conducted on February 25, 1993; 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 Land Development Code.
3. This official zoning map amendment (rezoning) is consistent with all requirements of Article 5, Section 5.3 (Official Zoning Map Amendments) of the Palm Beach County Land Development Code, Ordinance 92-20.
4. 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 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 z/ca92-37, the petition of PINETREE GOLF CLUB, INC. for a OFFICIAL ZONING MAP AMENDMENT (REZONING) from the AGRICULTURAL RESIDENTIAL (AR) AND SINGLE-FAMILY RESIDENTIAL (RS) ZONING DISTRICTS to the RESIDENTIAL TRANSITIONAL SUBURBAN (RTS) 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 February 25, 1993.

Commissioner Marcus moved for the approval of the Resolution.

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

Mary McCarty, Chair	-- Absent
Burt Aaronson	-- Aye
Ken Foster	-- Aye
Maude Ford Lee	-- Absent
Karen T. Marcus	-- Aye
Warren Newell	-- Aye
Carol A. Roberts	-- Absent

The Chair thereupon declared that the resolution was duly passed and adopted this 25th day of February, 1993.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

BY:

  
COUNTY ATTORNEY

BY:

  
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

According to the unrecorded plat of Pine Tree Golf Club DWG No. 45-42-25-18-A as filed in the office of Mock, Roos & Searcy, Inc. last revised on January 26, 1965, and more particularly describing Tract "F" of Pine Tree Golf Club, as follows:

Commencing at the southwest corner of Section 25, Township 45 South, Range 42 East, Palm Beach County, Florida;  
thence N 89°26'45" E, along the south line of said Section 25, a distance of 1355.16 feet to a point;  
thence N 0°41' 42" E a distance of 1147.51 feet to a point;  
thence N 89°43' 58" E a distance of 2130.81 feet to a point;  
thence N 0°16' 02" W a distance of 749.50 feet to the point of beginning;  
thence continue N 0°16' 02" W a distance of 118.00 feet to a point;  
thence N 89°43' 58" E a distance of 175.00 feet to a point;  
thence S 0°16' 02" E a distance of 118.00 feet to a point;  
thence S 89°43' 58" W a distance of 175.00 feet to the point of beginning.

SUBJECT to an easement over the West 20.00 feet thereof for roadway and utility purposes.

ALSO SUBJECT to an easement over the east 5.00 feet of the West 25.00 feet thereof for utility purposes.

Lot E of PINE TREE GOLF CLUB located in the County of Palm Beach, State of Florida, more particularly described as follows:  
According to the unrecorded plat of the Pine Tree Golf Club, Inc., DWG No. 45-42-25-18-A as filed in the office of the Mock, Roos and Searcy, Inc., - Last revised on January 26, 1965 and more particularly described as follows: Commencing at the Southwest corner of Section 25, Township 45 South, Range 42 East, Palm Beach County, Florida; thence N 89°26'45" E, along the South line of said Section 25, a distance of 1359.16 feet to a point; thence N 00°41'42" E, a distance of 1147.51 feet to a point; thence N 89°43'58" E, a distance of 2130.81 feet to a point; thence N 00°16'02" W, a distance of 842.50 feet to the point of beginning; thence continue N 00°16'02" W, a distance of 118.00 feet to a point; thence N 89°43'58" E, a distance of 175.00 feet to a point; thence S 00°16'02" E, a distance of 118.00 feet to a point; thence S 89°43'58" W, a distance of 175.00 feet to the point of beginning.

(NORTH 1/2 TRACT "A" PINETREE - AN UNRECORDED SUBDIVISION)

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 25, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; THENCE N-89°-26'-45"-E, ALONG THE SOUTH LINE OF SAID SECTION 25, A DISTANCE OF 1355.16 FEET TO A POINT; THENCE N-0°-41'-42"-E, A DISTANCE OF 1147.51 FEET TO A POINT; THENCE N-89°-43'-58"-E, A DISTANCE OF 2130.81 FEET TO A POINT; THENCE N-0°-16'-02"-W, A DISTANCE OF 1398.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N-0°-16'-02"-W, A DISTANCE OF 59.00 FEET TO A POINT; THENCE N-89°-43'-58"-E, A DISTANCE OF 175.00 FEET TO A POINT; THENCE S-0°-16'-02"-E, A DISTANCE OF 59.00 FEET TO A POINT; THENCE S-89°-43'-58"-W, A DISTANCE OF 175.00 FEET TO THE POINT OF BEGINNING.

SUBJECT TO AN EASEMENT OVER THE WEST 20.00 FEET THEREOF FOR ROADWAY AND UTILITY PURPOSES.

ALSO SUBJECT TO AN EASEMENT, OVER THE EAST 5.00 FEET OF THE WEST 25.00 FEET THEREOF FOR UTILITY PURPOSES.

ALSO SUBJECT TO AN EASEMENT OVER THE NORTH 10.00 FEET THEREOF FOR UTILITY PURPOSES.

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PARCEL NO. 1

South 1/2 of Lot A of PINE TREE GOLF CLUB located in the County of Palm Beach, State of Florida, more particularly described as follows:

According to the unrecorded plat of the Pine Tree Golf Club, Inc., DWG NO. 45-42-25-18-A as filed in the Office of the Mock, Roos and Searcy, Inc., - Last revised on January 26, 1965 and more particularly described as follows:

Commencing at the Southwest corner of Section 25, Township 45, South, Range 42 East, Palm Beach County, Florida; thence N-89°-26'-45"-E, along the South line of said Section 25, a distance of 1355.16 feet to a point; thence N-0°-41'-42"-E, a distance of 1147.51 feet to a point; thence N-89°-43'-58"-E, a distance of 2130.01 feet to a point; thence N-0°-16'-02"-W, a distance of 1339.50 feet to the point of beginning; thence continue N-0°-16'-02"-W, a distance of 59 feet to a point; thence N-89°-43'-58"-E, a distance of 175.00 feet to a point; thence S-0°-16'-02"-E, a distance of 59 feet to a point; thence S-89°-43'-58"-W, a distance of 175.00 feet to the point of beginning,

Subject to an easement over the West 20.00 feet thereof for roadway and utility purposes.

Also subject to an easement over the East 5.00 feet of the West 25.00 feet thereof for utility purposes.

PARCEL NO. 2

Lot B of PINE TREE GOLF CLUB located in the County of Palm Beach, State of Florida, more particularly described as follows:

According to the unrecorded plat of the Pine Tree Golf club, Inc. DWG No. 45-42-25-18-A as filed in the Office of the Mock, Roos and Searcy, Inc., Last revised on January 26, 1965, and more particularly described as follows:

Commencing at the Southwest corner of Section 25, Township 45 South, Range 42 East, Palm Beach County, Florida; thence N-89°-26'-45"-E, along the South line of said Section 25, a distance of 1355.16 feet to a point; thence N-0°-41'-42"-E, a distance of 1147.51 feet to a point; thence N-89°-43'-58"-E, a distance of 2130.01 feet to a point; thence N-0°-16'-02"-W; a distance of 1221.50 feet to the point of beginning; thence continue N-0°-16'-02"-W, a distance of 118.00 feet to a point; thence N-89°-43'-58"-E, a distance of 175.00 feet to a point; thence S-0°-16'-02"-E, a distance of 118.00 feet to a point; thence S-89°-43'-58"-W, a distance of 175.00 feet to the point of beginning.

Subject to an easement over the West 20.00 feet thereof for roadway and utility purposes.

Also subject to an easement over the East 5.00 feet of the West 25.00 feet thereof for utility purposes.

Also subject to an easement over the South 5.00 feet thereof for utility purposes.

SUBJECT to restrictions and easements of record, if any: taxes for the year 1974 and all subsequent years; and to all valid zoning ordinances.

Noted in Book 11 of Records

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Situate, lying and being in the County of Palm Beach, State of Florida and described as follows:

Commencing at the Southwest corner of Section 25, Township 45 South, Range 42 East, Palm Beach County, Florida; thence N-89°-26'-45"-E, along the South line of said Section 25, a distance of 1355.16 feet to a point; thence N-0°-41'-42"-E, a distance of 1147.51 feet to a point; thence N-89°-43'-58"-E, a distance of 295.02 feet to a point; thence S-22°-39'-12"-E, a distance of 189.26 feet to the point of beginning; thence S-45°-12'-50"-W, a distance of 28.52 feet to a point; thence S-0°-41'-42"-W, a distance of 600.65 feet to a point; thence S-44°-55'-47"-E, a distance of 27.98 feet to a point; thence N-89°-26'-45"-E, a distance of 3079.53 feet to a point; thence N-44°-36'-41"-E, a distance of 28.36 feet to a point; thence N-0°-13'-22"-W, a distance of 3522.92 feet to a point; thence N-45°-02'-40"-W, a distance of 28.37 feet to a point; thence N-89°-51'-58"-W, a distance of 2353.87 feet to a point; thence S-45°-20'-40"-W, a distance of 28.38 feet to a point; thence S-0°-33'-18"-W, a distance of 1569.52 feet to a point; thence S-44°-44'-54"-E, a distance of 28.16 feet to a point; thence N-89°-56'-54"-E, a distance of 459.57 feet to a point; thence S-0°-03'-06"-E, a distance of 350.00 feet to a point; thence S-89°-56'-54"-W, a distance of 799.70 feet to a point; thence S-45°-17'-12"-W, a distance of 28.45 feet to a point; thence S-0°-37'-30"-W, a distance of 606.75 feet to a point; thence S-44°-49'-16"-E, a distance of 28.06 feet to a point; thence N-89°-43'-58"-E, a distance of 1225.62 feet to a point; thence N-44°-43'-58"-E, a distance of 28.28 feet to a point; thence N-0°-16'-02"-W, a distance of 1315.00 feet to a point; thence S-89°-43'-58"-W, a distance of 17.50 feet to a point; thence N-0°-16'-02"-W, a distance of 17.50 feet to a point; thence S-89°-43'-58"-W, a distance of 172.50 feet to a point; thence N-0°-16'-02"-W, a distance of 118.00 feet to a point; thence S-89°-43'-58"-W, a distance of 3.00 feet to the beginning of a curve, concave to the Southwest, having a radius of 632.00 feet and a central angle of 37°-42'-48"; thence Northerly and Northwesterly along the arc of the said curve, a distance of 416.00 feet to the end of the said curve; thence N-52°-01'-10"-E, a distance of 175.50 feet to the beginning of a curve, concave to the Southwest, having a radius of 807.50 feet and a central angle of 0°-08'-38"; thence Northwesterly along the arc of the said curve, a distance of 2.04 feet to the end of the said curve; thence N-51°-52'-32"-E, a distance of 17.50 feet to the beginning of a curve, concave to the Southwest, having a radius of 825.00 feet and a central angle of 15°-08'-34"; thence Northwesterly along the arc of the said curve, a distance of 218.04 feet to the end of the said curve; thence N-53°-16'-02"-W, a distance of 15.00 feet to a point; thence N-36°-43'-58"-E, a distance of 190.00 feet to a point; thence N-53°-16'-02"-W, a distance of 80.00 feet to a point; thence N-36°-43'-58"-E, a distance of 160.00 feet to a point; thence S-53°-16'-02"-E, a distance of 95.00 feet to the beginning of a curve; concave to the Southwest, having a radius of 1175.00 feet and a central angle of 3°-10'-17"; thence Southeasterly along the arc of the said curve,

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a distance of 65.05 feet to the end of the said curve; thence S-39°-54'-15"-W, a distance of 12.00 feet to the beginning of a curve, concave to the Southwest, having a radius of 1163.00 feet and a central angle of 28°-59'-10"; thence Southeasterly along the arc of the said curve, a distance of 588.37 feet to the end of the said curve; thence N-68°-53'-23"-E, a distance of 7.00 feet to the beginning of a curve, concave to the Southwest, having a radius of 1170.00 feet and a central angle of 0°-56'-02"; thence Southeast along the arc of the said curve, a distance of 19.30 feet to the end of the said curve; thence N-69°-49'-25"-E, a distance of 155.00 feet to the beginning of a curve, concave to the Southwest, having a radius of 1325.00 feet and a central angle of 19°-54'-33"; thence Southeasterly and Southerly along the arc of the said curve, a distance of 460.41 feet to the end of the said curve; thence S-89°-43'-58"-W, a distance of 155.00 feet to a point; thence S-0°-16'-02"-E, a distance of 135.50 feet to a point; thence N-89°-43'-58"-E, a distance of 5.00 feet to a point; thence S-0°-16'-02"-E, a distance of 1437.51 feet to a point; thence S-45°-16'-02"-E, a distance of 230.75 feet to a point; thence S-60°-08'-49"-E, a distance of 300.00 feet to a point; thence S-29°-51'-11"-W, a distance of 185.00 feet to a point; thence N-62°-54'-31"-W, a distance of 103.73 feet to a point; thence N-60°-08'-49"-W, a distance of 143.07 feet to a point; thence S-29°-51'-11"-W, a distance of 150.00 feet to a point; thence N-59°-27'-10"-W, a distance of 143.22 feet to a point; thence N-45°-16'-02"-W, a distance of 230.75 feet to a point; thence S-89°-43'-58"-W, a distance of 1691.21 feet to the point of beginning.

NOTE: All previously described curves are concentric one to another.

PARCEL THREE:

The Mortgagor's right, title and interest in and to the property described in that certain Easement Deed from L. J. Gumpert and George R. Goode, as Trustees of Pine Tree Trust under Trust Indenture dated December 15, 1960, and recorded in Official Record Book 579, page 1, public records of Palm Beach County, Florida, to Pine Tree Golf Club, Incorporated, and others dated July 23, 1968, and recorded in Official Record Book 1666, page 496, public records of Palm Beach County, Florida.

PARCEL TWO:

The North 40 feet of the South 211 feet of the following described property:

Commencing at the southwest corner of Section 25, Township 45 South, Range 42 East, Palm Beach County, Florida; thence N-89°-26'-45"-E, along the south line of said Section 25, a distance of 1355.16 feet to a point; thence N-0°-41'-42"-E, a distance of 1147.51 feet to a point; thence N-89°-43'-58"-E, a distance of 2130.81 feet to a point; thence N-0°-16'-02"-W, a distance of 749.50 feet to the point of beginning; thence continue N-0°-16'-02"-W, a distance of 673.00 feet to a point; thence N-89°-43'-58"-E, a distance of 175.00 feet to a point; thence S-0°-16'-02"-E, a distance of 673.00 feet to a point; thence S-89°-43'-58"-W, a distance of 175.00 feet to the point of beginning.

EXHIBIT B  
VICINITY SKETCH

