

RESOLUTION NO. R-94-503

RESOLUTION APPROVING ZONING PETITION **Z83-10(C)**
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF MOBIL OIL CORP.

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 **Z83-10(C)** was presented to the Board of County Commissioners at a public hearing conducted on April 28, 1994; 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 compatible with surrounding uses and zones, as defined in the Palm Beach County 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) of the Palm Beach County Land Development Code, Ordinance 92-20; 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 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 **Z83-10(C)**, the petition of Mobil Oil Corp. for a OFFICIAL ZONING MAP AMENDMENT (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 April 28, 1994.

Commissioner Newell moved for the approval of the Resolution.

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

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

The Chair thereupon declared that the resolution was duly passed and adopted this 28th day of April, 1994.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

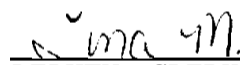
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK

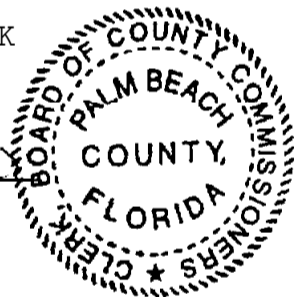


EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION 3.63 ACRES

A PARCEL OF LAND LYING IN SECTION 11, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE EAST QUARTER CORNER OF SECTION 11, THENCE WITH A BEARING OF SOUTH 89° 20' 58" WEST, ALONG THE EAST-WEST QUARTER LINE OF SECTION 11, A DISTANCE OF 60.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF MILITARY TRAIL (S.R. 809) THENCE WITH A BEARING OF SOUTH 0° 19' 42" EAST, ALONG THE WEST RIGHT OF WAY LINE OF MILITARY TRAIL RIGHT OF WAY A DISTANCE OF 286.15 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF VIA DELRAY, AS RECORDED IN O.R. BOOK 2226, PAGE 1210 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE AFOREMENTIONED WEST RIGHT OF WAY LINE OF MILITARY TRAIL A DISTANCE OF 384.84 FEET; THENCE WITH A BEARING OF SOUTH 89° 17' 12" WEST, A DISTANCE OF 384.73 FEET; THENCE WITH A BEARING OF NORTH 0° 39' 02" WEST, A DISTANCE OF 410.40 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF VIA DELRAY; THENCE WITH A BEARING OF NORTH 89° 20' 58" EAST, ALONG THE SOUTH RIGHT OF WAY LINE OF VIA DELRAY, A DISTANCE OF 361.89 FEET TO A POINT; THENCE WITH A BEARING OF SOUTH 45° 29' 22" EAST, A DISTANCE OF 35.46 FEET MORE OR LESS TO THE POINT OF BEGINNING,
 CONTAINING 3.63 ACRES MORE OR LESS AND SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

LEGAL DESCRIPTION STATION SITE

A PARCEL OF LAND LYING IN SECTION 11, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE EAST QUARTER CORNER OF SECTION 11, THENCE WITH A BEARING OF SOUTH 89° 20' 58" WEST, ALONG THE EAST-WEST QUARTER LINE OF SECTION 11, A DISTANCE OF 60.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF MILITARY TRAIL (S.R. 809) THENCE WITH A BEARING OF SOUTH 0° 19' 42" EAST, ALONG THE WEST RIGHT OF WAY LINE OF MILITARY TRAIL RIGHT OF WAY A DISTANCE OF 286.15 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF VIA DELRAY, AS RECORDED IN O.R. BOOK 2226, PAGE 1210 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE AFOREMENTIONED WEST RIGHT OF WAY LINE OF MILITARY TRAIL A DISTANCE OF 184.86 FEET; THENCE WITH A BEARING OF SOUTH 89° 20' 58" WEST, A DISTANCE OF 209.00 FEET; THENCE WITH A BEARING OF NORTH 0° 19' 42" WEST, A DISTANCE OF 210.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF VIA DELRAY; THENCE WITH A BEARING OF NORTH 89° 20' 58" EAST, ALONG THE SOUTH RIGHT OF WAY LINE OF VIA DELRAY, A DISTANCE OF 183.86 FEET TO A POINT; THENCE WITH A BEARING OF SOUTH 45° 29' 22" EAST, A DISTANCE OF 35.46 FEET MORE OR LESS TO THE POINT OF BEGINNING.
 CONTAINING 1.000 ACRES MORE OR LESS AND SUBJECT TO EASEMENTS OF WAY OF RECORD.

BOTH PARCELS : LESS ROAD RIGHT-OF-WAY FOR MILITARY TRAIL (S.R. 809)
 PALM BEACH COUNTY PROJECT 86-112 FROM SR 806 TO STINER ROAD PARCEL NO 14

#5

EXHIBIT B

(LOCATION SKETCH)

