

RESOLUTION NO. R-96- 1007

RESOLUTION APPROVING ZONING PETITION Z84-51(A)  
OFFICIAL ZONING MAP AMENDMENT (REZONING)  
PETITION OF RICHARD & MARY BASTIN  
BY DONALDSON HEARING, AGENT  
(PALM BEACH VOLVO)

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 Z84-51(A) was presented to the Board of County Commissioners at a public hearing conducted on July 25, 1996; 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 284-51(A), the petition of Richard & Mary Bastin, by Donaldson Hearing, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Residential Medium (RM) 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 July 25, 1996.

Commissioner Aaronson 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:

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

The Chair thereupon declared that the resolution was duly passed and adopted on July 25, 1996.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

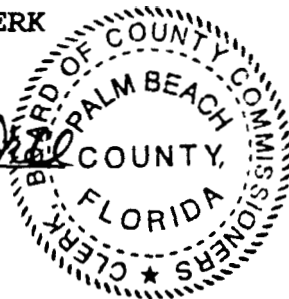
DOROTHY H. WILKEN, CLERK

BY:

  
COUNTY ATTORNEY

BY:

  
DEPUTY CLERK



**EXHIBIT A**

**LEGAL DESCRIPTION**

The South **26** feet of the North **76** feet of the West **196.16** feet of the East **304.88** feet of the Northwest **1/4** of Section **26**, Township **43** South, Range **42** East, Being More particularly described as follows:

The Point of Beginning being the Northwest corner of Lot **3**, BREEZY ACRES, as recorded in Plat Book **24**, Page **48**, in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida; thence Northerly along the Northerly prolongation of the West line of said Lot **3**, a distance of **26** feet, more or less, to the South right-of-way line of Okeechobee Road, as defined in Deed Book **47**, Page **454**, recorded in the Office of the Clerk of the Circuit Court, in and for Palm Beach County, Florida; thence Easterly along said right-of-way-of-way as defined in Deed Book **47**, Page **454**, a distance of **196.16** feet, more or less, intersecting the East line of the West **58.72** feet of the East **167.44** feet of the Northwest **1/4** of said Section **26**; thence Southerly along the East line of said **58.72** feet of the East **167.44** feet of the Northwest **1/4** of said section **26**, a distance of **26** feet, intersecting the Easterly prolongation of the Northerly boundary of Lots **3** and **4** as recorded in Plat Book **24**, Page **48**, Public Records of Palm Beach County, Florida; thence Westerly along said Easterly prolongation of the Northerly boundary of said Lots **3** and **4**, a distance of **196.16** feet, more or less to the Point of Beginning.

**LESS AND EXCEPTING THEREFROM** the Additional right-of-way for State Road **704** (Okeechobee Blvd.), Florida Department of Transportation right-of-way for a safety comer recorded in Official Record Book **6114**, Page **629**, being a safety comer at the Northwest property comer at Okeechobee Blvd. and Breezy Lane right-of-way line consisting of **311.50** square feet.

**AND ALSO:**

**TRACT 1:**

**Lots 3, 4, 5, and 6**, BREEZY ACRES, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book **24**, Page **48**.

**TRACT 2:**

The West **58.72** feet of the East **167.44** feet of the South **265.32** feet of the North **341.32** feet; and the West **58.72** feet of the East **108.72** feet of the South **75** feet of the North **341.32** feet of the Northeast **1/4** of the Northeast **1/4** of the Northwest **1/4** of Section **26**, Township **43** South, Range **42** East, Palm Beach County, Florida.

**TRACT 3:**

Lot **7**, according to the Plat of BREEZY ACRES, as recorded in Plat Book **24**, Page **48**, in and for the public records of Palm Beach County, Florida, TOGETHER with the South **150** feet of the North **491.32** feet of the West **17.44** feet of the East **167.44** feet of the East one-eighth (EAST **118**) of the Northeast one-quarter (N.E. **1/4**) of the Northwest one-quarter (N.W. **1/4**) of Section **26**, Township **43** South, Range **42** East, Palm Beach County, Florida.

**TRACT 4:**

A parcel of land lying and being in the East **1/8** of the Northeast **1/4** of the Northwest **1/4** of Section **26**, Township **43** South, Range **42** East, Palm Beach County, Florida, more particularly described as follows:

The South **225** feet of the North **716.32** feet as measured along the East line of the Northwest **1/4** of said Section **26**, of the East **1/8** of the Northeast **1/4** of the Northwest **1/4** of said Section, less the Right-of-way of Lake Worth Drainage District E-3 Canal.

**TRACT 5:**

A parcel of land lying and being in the East **1/8** of the Northeast **1/4** of the Northwest **1/4** of Section **26**, Township **43** South, Range **42** East, Palm Beach County, Florida, more particularly described as follows:

The North **266.32** feet as measured along the East line of the Northwest **1/4** of said Section **26**, of the East **83.72** feet, as measured along the North line of said Section **26**, of the East **1/8** of the Northeast **1/4** of the Northwest **1/4** of said Section **26**, LESS the Right-of-way for Lake Worth Drainage District E-3 Canal and LESS the Right-of-way for Okeechobee Road.

**TRACT 6:**

A parcel of land lying and being in the East **1/8** of the Northeast **1/4** of the Northwest **1/4** of Section **26**, Township **43** South, Range **42** East, Palm Beach County, Florida, more particularly described as follows:

The North **266.32** feet as measured along the East line of the Northwest **1/4** of said Section **26**, of the West **25.0** feet of the East **108.72** feet measured along the North line of said Section **26**, of the East **1/8** of the Northeast **1/4** of the Northwest **1/4** of said Section **26**, LESS the Right-of-way for Okeechobee Road.

EXHIBIT B

