

RESOLUTION NO. R-99- 2253

RESOLUTION APPROVING ZONING PETITION Z99-055  
OFFICIAL ZONING MAP AMENDMENT (REZONING)  
PETITION OF ESFANDIAR BEHBOUDI AND GEORGE KONCIR  
BY JEFF IRAVANI, AGENT  
(ATLANTIS AUTO)

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 Z99-055 was presented to the Board of County Commissioners at a public hearing conducted on December 2, 1999; 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 Z99-055, the petition of Esfandiar Behboudi and George Koncir, by Jeff Iravani, agent, for an 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 December 2, 1999.

Commissioner Masilotti moved for the approval of the Resolution.

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

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

The Chair thereupon declared that the resolution was duly passed and adopted on December 2, 1999.

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

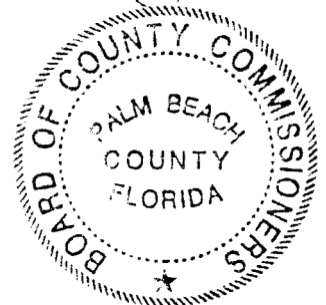


EXHIBIT A  
LEGAL DESCRIPTION

(per title policies listed in surveyor's note 12)

**PARCEL 1:**

The West 120.0 feet of the South 100.0 feet of the North 335.18 feet and the West 20.0 feet of the North 235.18 feet of Tract Seventy-Two; said parcel being a part of land lying in Tract Seventy Two, SWAN'S SUBDIVISION, according to the Plat thereof, recorded in Plat Book 6, page 66, of the Public records of Palm Beach County, Florida.

**PARCEL 2:**

The West 120.0 feet of the South 125.0 feet of the North 460.18 feet of Tract 72; said parcel being a part of and lying in Tract 72, SWAN'S SUBDIVISION, according to the Plat thereof, recorded in Plat Book 6, page 66, of the Public Records of Palm Beach County, Florida.

**PARCEL 3:**

A parcel of land located in Tract 72 in FRANK B. SWAN'S SUBDIVISION of Section 19, Township 44 South, Range 43 East, as recorded in Plat Book 6, page 66, of the Public Records of Palm Beach County, Florida; to-wit;  
Begin at the Southeast corner of Section 19, Township 44 South, Range 43 East; thence run West along the South line of Section 19, a distance of 1335.0 feet to a point; thence run Northerly along the Southerly projection of the West line of said Tract 72, a distance of 40 feet to the North right-of-way line of Lucerne Avenue Extension which is the Southwest corner of the Tract herein conveyed and the Point of Beginning; thence continue Northerly along the West line of Tract 72, a distance of 155.0 feet to the Northwest corner of the Tract herein conveyed; thence run Easterly, parallel to the South line of said Section 19, a distance of 120 feet to a point being the Northeast corner of this tract; thence run Southerly parallel to the West line of said Tract 72, a distance of 155.0 feet to the Southeast corner of this tract; thence run Westerly a distance of 120.0 feet to the Point of Beginning; less and excepting therefrom the following described parcel of land; All that portion of the following described parcel of land for road right-of-way purposes, situate in Section 19, Township 44 South, Range 43 East, lying South of the proposed North right-of-way line of Lake Worth Road as shown on the right-of-way map of Lake Worth Road Book 5, pages 125 through 138, Public Records of Palm Beach County, Florida.

EXHIBIT A  
LEGAL DESCRIPTION

**TOGETHER WITH;**

The North 235.18 feet of the East 100 feet of the following described parcel; Beginning at the Southeast corner of Section 19, Township 44 South, Range 43 East, Palm Beach County, Florida, thence running Westerly along the South line of said Section 19, a distance of 1335 feet to a point; thence running Northerly along the West line of Tract 72, of Swan's Subdivision of Section 19, 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, a distance of 320 feet to the point of beginning of this parcel; thence running Northerly along the West line of Tract 72, to the Northwest Corner of said Tract 72; thence run easterly along the North line of said Tract 72, a distance of 120 feet; thence running Southerly parallel to the West line of Tract 72, to a point 320 feet North of the South line of said Section 19; thence running Westerly a distance of 120 feet to the point of beginning, lying and being in Palm Beach County, Florida.

**SURVEYED PROPERTY ALSO DESCRIBED AS:**

The West 120 feet of Tract 72, Subdivision of Section 19, T.44S. T.43E., according to the plat thereof as recorded in Plat Book 6, Page 66, in and for the Public Records of Palm Beach County, Florida.  
Less and except the South 45 feet thereof for additional road right-of-way for Lake Worth Road as recorded in Road Plat Book 5, Page 125, in and for the Public Records of Palm Beach County, Florida.

EXHIBIT B  
VICINITY SKETCH

