

RESOLUTION NO. R-75-947

RESOLUTION APPROVING ZONING PETITION

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, and Chapter 70-863, Laws of Florida, Special Acts of 1970, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements as provided for in Chapter 402.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 75-159 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 18 December 1975.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 18th day of December, 1975, that petition No. 75-159, the petition of CLAR-MAR PROPERTIES by E. Clifford Norris, Agent, for the REZONING, FROM CN-NEIGHBORHOOD COMMERCIAL DISTRICT IN PART AND RM-RESIDENTIAL MULTIPLE FAMILY DISTRICT (MEDIUM DENSITY) IN PART TO CG-GENERAL COMMERCIAL DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT on a certain parcel in Section 12, Township 44 South, Range 42 East, more particularly described as follows: commencing at the Northeast corner of Parcel B of Plat No. Two of Woodhaven, according to the Plat thereof recorded in Plat Book 27, page 146 (the East line of Section 12 is assumed to bear North and all other bearings mentioned herein are relative thereto); thence North along the West line of Kirk Road, a distance of 34.24 feet to the Point of Beginning; thence West, a distance of 315.0 feet to the Northwest corner of Lot 48 of said Plat No. Two

of Woodhaven; thence North along the Easterly line of Lots 50, 51, 52 and a portion of Lot 53, a distance of 200.90 feet to the Southwest corner of the recreation area, as shown on said plat; thence East, a distance of 80 feet; thence North, a distance of 100 feet; thence West, a distance of 130.55 feet to the Northwest corner of said Lot 53, also being in the arc of a curve concave Westerly, having a radius of 110 feet; thence Northerly along the arc of said curve subtending a central angle of $21^{\circ} 30' 27''$, a distance of 41.29 feet to the end of said curve; thence North $0^{\circ} 0' 30''$ West along the Easterly right-of-way line of Sandra Lane, a distance of 126.85 feet to the beginning of a curve, concave Southeasterly, having a radius of 25 feet and a central angle of $92^{\circ} 42' 49''$; thence Northeasterly along the arc of said curve, a distance of 40.45 feet to the end of said curve; thence South $87^{\circ} 17' 41''$ East along the North line of Parcel A of said Plat No. Two of Woodhaven and the Easterly extension thereof, a distance of 332.10 feet to a point in the Westerly right-of-way line of Kirk Road, said Westerly right-of-way being parallel with and 40 feet Westerly from the East line of Section 12; thence South along said Westerly right-of-way line of Kirk Road, a distance of 477.38 feet to the Point of Beginning; subject to easements and rights-of-way of record. Said property located at the southwest corner of the intersection of Forest Hill Boulevard and Kirk Road, was approved as advertised, subject to the following special conditions:

1. Prior to the issuance of any building permits, the developer shall convey to Palm Beach County, the additional right-of-way to provide for sixty (60) feet of right-of-way from the centerline of Forest Hill Boulevard.
- 2a) Prior to the approval of the Site Plan, by the Site Plan Review Committee, the developer shall abandon the existing drainage easement within the parcel.

- b) The abandonment of the above drainage easement shall be conditioned on the granting of suitable drainage easements for Forest Hill Boulevard and Sandra Lane.
- 3. Developer shall construct the following at the intersection of Kirk Road and the development's entrance:
 - a) right turn lane, north approach;
 - b) left turn lane, south approach;
 - c) left and right turn lane, west approach.
- 4. Developer shall provide suitable drainage facilities for Forest Hill Boulevard and Sandra Lane.

Commissioner Johnson, moved for approval of the petition.

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

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| E.W. Weaver | Yes |
| Lake Lytal | Yes |
| Robert F. Culpepper | Yes |
| Robert C. Johnson | Yes |
| William Medlen | Yes |

The foregoing resolution was declared duly passed and adopted this 30th day of December, 1975, confirming action of 18 December 1975.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, Clerk

APPROVED AS TO FORM AND
 LEGAL SUFFICIENCY
R. William Rutter
 COUNTY ATTORNEY

By *Ruth Van Orman*
 Deputy Clerk

FILED THIS 30th DAY OF
 December, 1975
 AND RECORDED IN RESOLUTION
 MINUTE BOOK NO. 49 AT
 PAGE 194-196, RECORD VERIFIED
 JOHN B. DUNKLE, CLERK
 BY *Margaret B. Jennings* D.C.