

RESOLUTION NO. R-2002- 0607

RESOLUTION APPROVING ZONING PETITION W2001-068
WAIVER OF COMPREHENSIVE PLAN MINIMUM DENSITY REQUIREMENT (W)
PETITION OF TERRANCE E. KIRCHMAN
BY GLEN MILLER, AGENT
(KIRCHMAN REZONING)

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 W2001-068 was presented to the Board of County Commissioners at a public hearing conducted on April 25, 2002; 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 proposed development is consistent with the provisions of the "Joint Planning Area" agreement;
2. That an analysis is completed that addressed:
 - a) the impact of a reduced density development on the overall infrastructure system;
 - b) the compatibility of the proposed development with adjacent land uses;
 - c) the effect of the reduced density development on the ability of the County to meet its goals, objectives and policies related to affordable housing.
3. The development is located in a municipal annexation area and the analysis was performed by the annexing municipality.

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 W2001-068, the petition of Terrance E. Kirchman, by Glen Miller, agent, for a WAIVER OF MINIMUM DENSITY REQUIREMENTS (WAIVER) in the Residential Single Family (RS) 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 25, 2002.

Commissioner Aaronson moved for the approval of the Resolution.

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

Warren H. Newell, Chairman	-	Aye
Carol A. Roberts, Vice Chair	-	Aye
Karen T. Marcus	-	Aye
Mary McCarty	-	Absent
Burt Aaronson	-	Aye
Tony Masilotti	-	Aye
Addie L. Greene	-	Aye

The Chair thereupon declared that the resolution was duly passed and adopted on April 25, 2002.

Filed with the Clerk of the Board of County Commissioners on 13 day of June, 2003

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

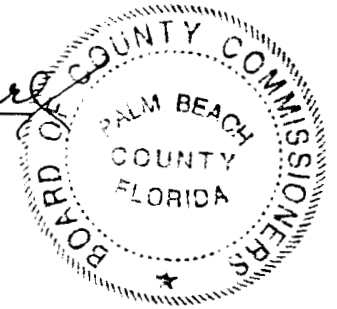


EXHIBIT A
LEGAL DESCRIPTION

AParcel 1:

The East 2 of the following described parcel:

The South 2 of the South 2 of State Lots 29, 30, 31, and 32, Section 5, Township 44 South, Range 37 East, Palm Beach County, Florida, as shown on the Plat by the Trustees of the Internal Improvement Fund, Tallahassee, titled ALands Offered for Sale in the Everglades@ and dated December 1, 1916,

LESS the East 60 feet of said Lot 32 for Tabit Road Right-of-Way.@

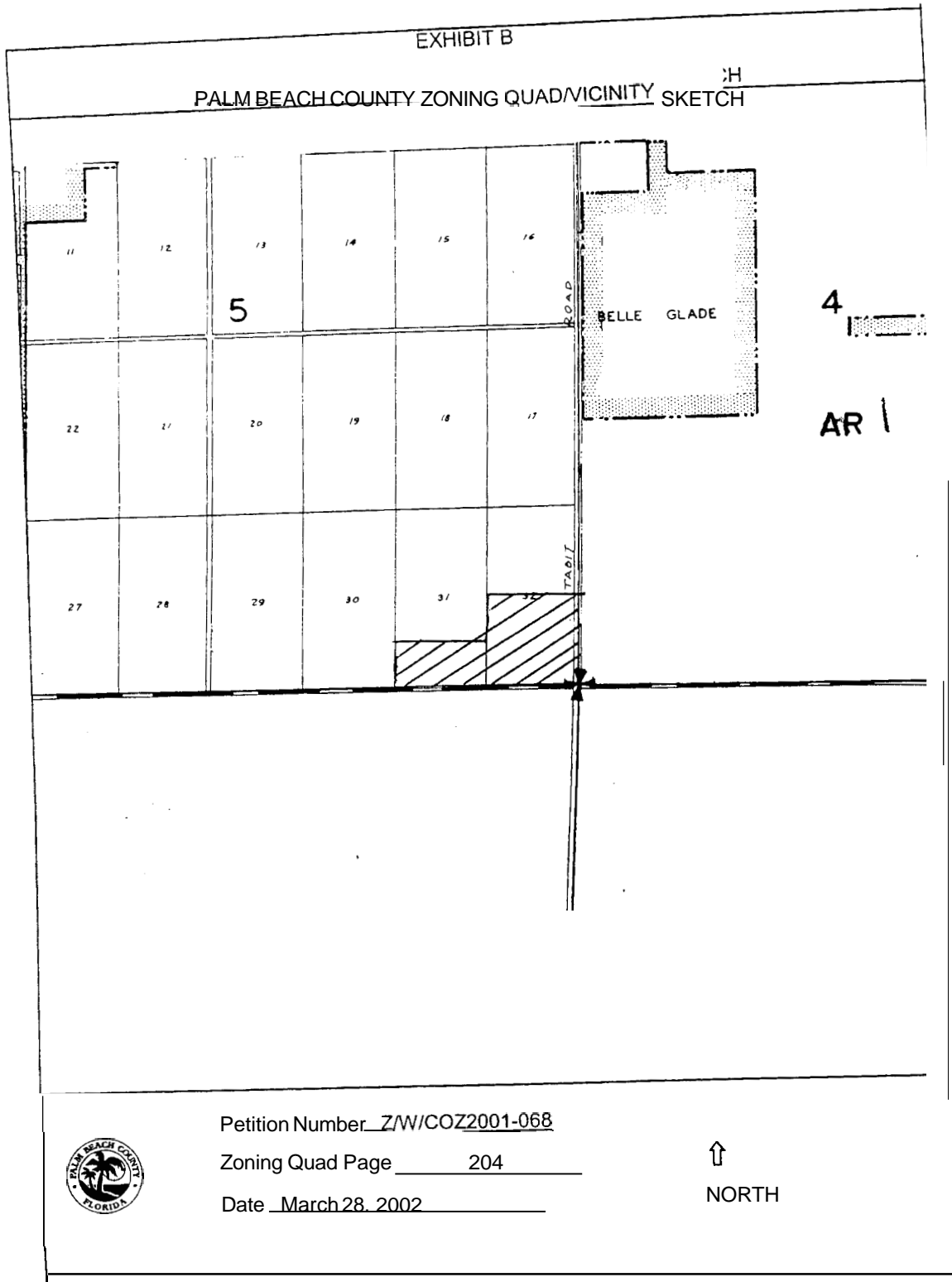
AParcel 2:

The East 1026.76 feet, as measured along the South line, of the following described parcel:

Being the North 2 of the South 2 of State Lots 29, 30, 31, and 32, Section 5, Township 44 South, Range 37 East, Palm Beach County, Florida, as shown on the Plat by the Trustees of the Internal Improvement Fund, Tallahassee, titled ALands Offered for Sale in the Everglades@ and dated

December 1, 1916, LESS the East 60 feet of said Lot 32 for Tabit Road Right-of-Way.@

EXHIBIT B
VICINITY SKETCH



Petition Number Z/W/COZ2001-068

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Date March 28, 2002

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NORTH