

RESOLUTION NO. R-93- 4

RESOLUTION APPROVING ZONING PETITION 292-41
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF LAND SERVICES GROUP, INC.

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 292-41 was presented to the Board of County Commissioners at a public hearing conducted on January 4, 1993; 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 consistent with the requirements of all other applicable local land development regulations.
4. This official zoning map amendment (rezoning) is consistent with all requirements of Article 5, Section 5.3 (Official Zoning Map Amendments) of the Palm Beach County Land Development Code, Ordinance 92-20.

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 292-41, the petition of LAND SERVICES GROUP, INC., by Robert A. Bentz, agent, for a OFFICIAL ZONING MAP AMENDMENT (REZONING) from the AGRICULTURAL RESIDENTIAL (AR) 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 January 4, 1993, subject to the voluntary commitments described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Roberts 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:

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

The Chair thereupon declared that the resolution was duly passed and adopted this 4th day of January, 1993.

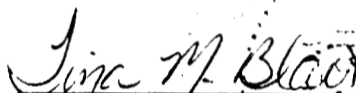
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK



FILE:H:\WPDATA\PROD\RESO\Z92-41.RZ

EXHIBIT A
LEGAL DESCRIPTION

LEGAL DESCRIPTION

All that **Part** of Tract **2**, **Book 4**, Palm Beach Farms Company Plat No. **3**, according to the plat thereof, recorded in Plat **Book 2**, Pages **45** through **54**, Inclusive, Public Records of Palm Beach County, Florida, tying northerly and easterly **of** the northerly and easterly right-of-way **line of the proposed Jog Road** right-of-way, as described in that certain right-of-way Warranty Deed, recorded in Official Records **Book 7071**, **Pages 990 to 993**, said Public Records of Palm Beach County, Florida.

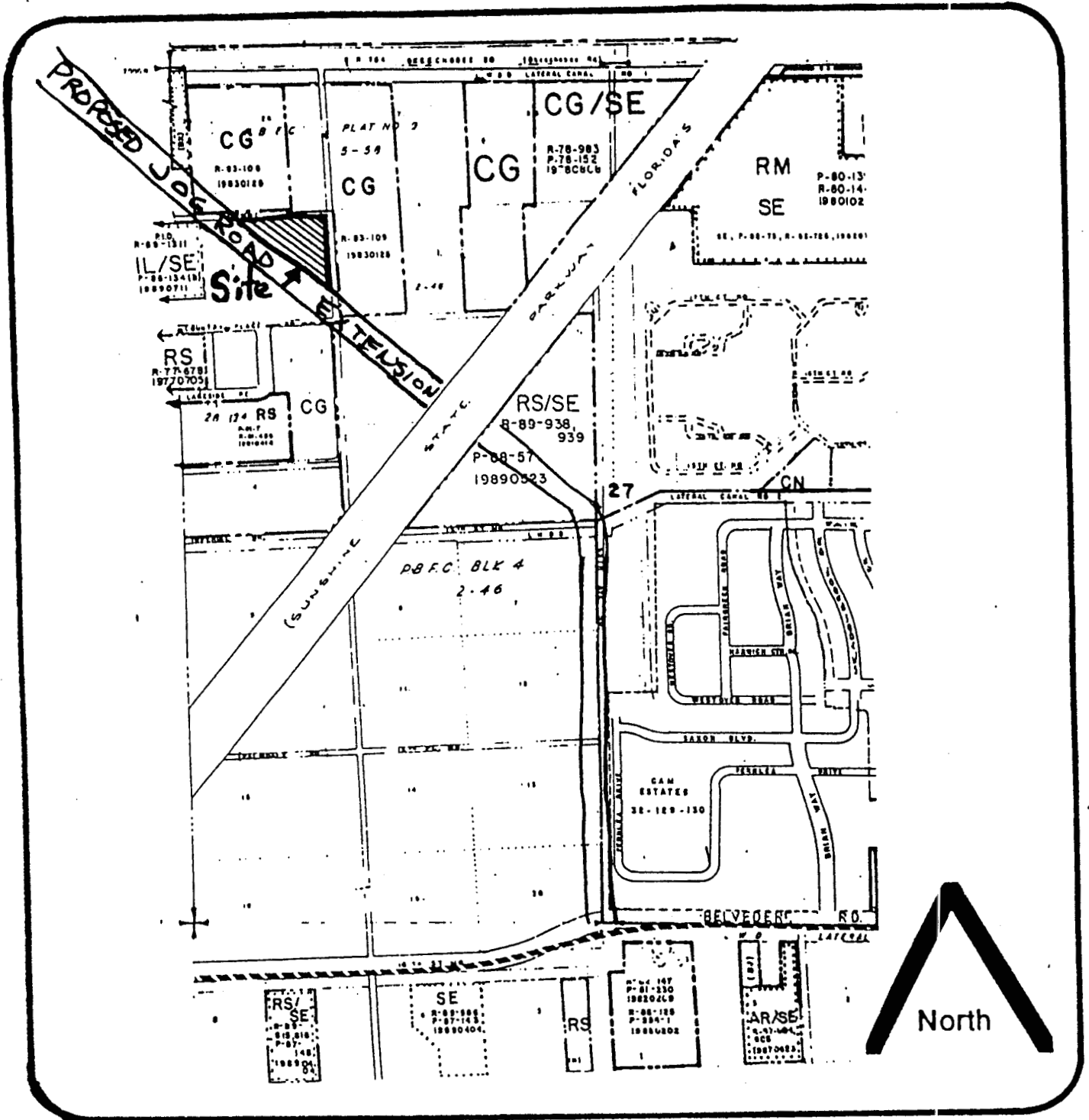
Containing 112,417 square feet or 2.581 acres more or less.

Subject to easements, reservations, restrictions, **and** right-of-way of record.

EXHIBIT B

Sec. 27 Twp. 43 Rng. 42
Quadrant Sheet: 29

Vicinity
Sketch



Request: The petitioner has applied for an Official Zoning Map Amendment from the Agricultural Residential (AR) Zoning District to the General Commercial (CG) Zoning District.

EXHIBIT C

VOLUNTARY COMMITMENTS

A. PLANNING DIVISION

1. Prior to any site development the petitioner shall comply with all requirements of the conditional concurrency reservation. (PLANNING)

B. CONCURENCY

1. Prior to the issuance of the initial building permit or certification of a final site plan by the Development Review Committee, whichever occurs first, the property owner shall obtain an amended Certificate of Concurrency Reservation for the actual general retail use approval. (PLANNING)

C. HEALTH

1. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water. (HEALTH)
2. Sewer service is available to the property. Therefore, no septic tank shall be permitted on site. (HEALTH)

D. ENVIRONMENTAL RESOURCES MANAGEMENT

1. A Wellfield Affidavit of Notification is required by ERM prior to the issuance of the first building permit or Final Site Plan certification, which ever shall occur first. (BUILDING/ERM)
2. Secondary containment for stored Regulated Substances (fuels, oils and other hazardous chemicals) is required. The Department of Environmental Resources Management is willing to provide guidance on appropriate protective measures. (BUILDING/ERM)
3. Any proposed excavation is subject to ULDC Sec. 7.6. of the PBC LDC. An approved littoral zone planting plan is required prior to the issuance of the first building permit or Final Site Plan certification, which ever occurs first. (BUILDING/ERM)
4. Due to several environmental concerns with the property, a complete Environmental Evaluation must be submitted to ERM prior to the issuance of the first building permit or Final Site Plan certification, which ever occurs first. (BUILDING/ERM) .