

RESOLUTION NO. R-94-1481

RESOLUTION APPROVING ZONING PETITION **Z94-17**
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF JONATHAN SEPPALA AND RIITTA SEPPALA

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 **Z94-17** was presented to the Board of County Commissioners at a public hearing conducted on October 27, 1994; 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. On August 25, 1994, the Board of County Commissioners adopted Resolution R-94-1084 approving an official zoning map amendment to the Residential Estate (RE) zoning district.
2. The petitioner filed a complaint for Writ of Certiorari against the County in the Circuit court of the Fifteenth Judicial Circuit in Palm Beach County (Case **#CL94-5718 AY**).
3. The petitioner proposed a Stipulated Settlement Agreement conditioned upon, the subject property being rezoned back to the Agricultural Zoning (AR) Zoning District.
4. On October 27, 1994, the Board of County Commissioners approved the Stipulated Settlement agreement for Case **#CL94-5718 AY**, and upon rezoning, the petitioner will dismiss the Petition for Certiorari.
5. This rezoning is at the request and a part of a settlement agreement to a petition for Writ.
6. The subject property's Agricultural Residential (AR) zoning **was** nonconforming with the LR 1 land use designation.
7. The rezoning to the AR district will revert the property to the original zoning district and will not change the existing status of the property.
8. No expansion of the nonconformity will be created, therefore, the property may be rezoned back to the original district.

9. **This** official zoning **map** amendment (rezoning) is compatible with surrounding uses and zones, as defined in the Palm Beach County Land Development Code, is generally consistent with existing uses and zones surrounding the subject land, and is the appropriate zoning district **for** the land;
10. 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;
11. This official zoning map amendment (rezoning) will result in a logical and orderly development pattern;
12. This official zoning map amendment (rezoning) complies with Article 11, (Adequate Public Facilities) of the Palm Beach County Land Development Code, Ordinance 92-20; and,

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 **Z94-17**, the petition of Jonathan Seppala and **Riitta** Seppala, for a OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Residential Estates (RE) ZONING DISTRICT to the Agricultural Residential (AR) 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 October 27, 1994.

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:

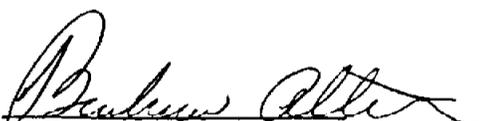
Mary McCarty, Chair	--	Aye
Burt Aaronson	--	Aye
Ken Foster	--	Aye
Maude Ford Lee	--	Aye
Karen T. Marcus	--	Aye
Warren Newell	--	Absent
Carol A. Roberts	--	Absent

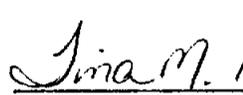
The Chair thereupon declared that the resolution was duly passed and adopted this 27th day of October, 1994.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

DOROTHY H. WILKEN,

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK

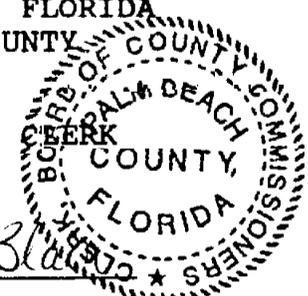


EXHIBIT A

LEGAL DESCRIPTION

Legal **description** of the two **separate parcels** of land to be created by the rezoning and **subdivision** of the Jonathan Seppala Fearnley Road parcel.

DESCRIPTION
(Parcel 1)

The South half of Tract **67**.Block 32. Palm Beach Farms Co., Plat **No.3**. According to the **Plat** thereof, **as** recorded in Plat Book 2. Pages 45 through 54, **inclusive**, public records of Palm Beach County, Florida.

Lees the North 150.00 feet thereof.

Less the East 20' for road right-o-way.

Containing: 55,662 square feet or 1.28 acres more or **less**.

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

DESCRIPTION
(Parcel 2)

The North 150.00 feet of the South half of Tract 67. Block **32**, Palm Beach Farms Co., Plat **No.3**, according to the **Plat** thereof, **as** recorded in Plat Book 2. **pages** 45 through **54**, inclusive, public records of Palm Beach County, Florida.

Lee6 the Eaat 20' for road right-of-way.

containing: 46,500 **square** feet or 1.07 **acres** more or **less**.

Subject to easemente. restrictions, and **rights-of-way** of record.

EXHIBIT A
LEGAL DESCRIPTION

Legal Description of
Jonathan Seppala
Fearnley Road Project

The South **1/2** of Tract 67 Block 32 Palm Beach Farms Co.
Plat No. 3, According to Plat Thereof, As Recorded in
Plat Book 2 Pages 45 through 54, Inclusive, Public Records
Of Palm Beach County, Florida, less the East **20' for**
Road Right of Way.

EXHIBIT B
VICINITY SKETCH

