

RESOLUTION NO. R-95- 1022

RESOLUTION APPROVING ZONING PETITION 295-17
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF ROBERT A. LEVY, TRUSTEE

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 Unified Land Development Code (Ordinance 92-20), have been satisfied; and

WHEREAS, Zoning Petition 295-17 was presented to the Board of County Commissioners at a public hearing conducted on July 27, 1995; 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) of the Palm Beach County Unified Land Development Code, Ordinance 92-20; 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 295-17, the petition of Robert A. Levy, Trustee for a OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Residential Single Family (RS) 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 July 27, 1995.

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:

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


The Chair thereupon declared that the resolution was duly passed and adopted this 27th day of July, 1995.

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

A parcel of land in the SW 1/4 of Section 36, Township 46 South, Range 42 East, said parcel being more particularly described as follows:

Commencing at the Southwest corner of said SW 1/4 of Section 36; thence run South 89° 40' 13" East (on an **assumed** bearing) 40 feet along the South boundary of said SW 1/4, to the Point of Beginning; thence continue South 89° 40' 13" East 617.48 feet along said South boundary; thence run North 0° 19' 47" East 440 feet to an intersection with a line 440 feet North *of*, as measured at right angle; and parallel to said South line of the SW 1/4; thence run North 89° 40' 13" West 620.02 feet along said parallel line to an intersection with a line 40 feet East *of*, as measured at right angles and parallel to the West line of said SW 1/4; thence run due South 440.01 feet **along said** parallel line, also forming the East **right of way** line *of* Military Trail, **as** now located and constructed to the Point *of* Beginning

EXHIBIT B
VICINITY SKETCH

