

RESOLUTION NO. R-95- 1124

RESOLUTION APPROVING ZONING PETITION 794-98
OFFICIAL ZONING MAP AMENDMENT (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 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 PDD94-98 was denied by the Board of County Commissioners at a public hearing conducted on August 24, 1995; and,

WHEREAS, the Board of County Commissioners approved an alternate zoning designation on a portion of the site which was the subject of Zoning Petition PDD94-98; and,

WHEREAS, the Board of County Commissioners 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 an Official Zoning Map Amendment (Rezoning) from the Single Family Residential (RS) Zoning District to the Community Commercial (CC) 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 August 24, 1995.

Commissioner Newell moved for the approval of the Resolution.

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

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

The Chair thereupon declared that the resolution was duly passed and adopted this 24th day of August, 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

PARCEL "B"
LEGAL DESCRIPTION

A PARCEL BEING A PORTION OF THE SOUTHWEST QUARTER (S.W. 1/4) OF THE SOUTHWEST QUARTER (S.W. 1/4) OF THE SOUTHWEST QUARTER (**S.W. 1/4**) OF SECTION 4, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA. SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHWEST CORNER OF SAID SECTION 4 RUN N02° 18' 16" W ALONG THE WEST LINE OF SAID SECTION 4 A DISTANCE OF 348.39 FEET; THENCE S89° 50' 25" E A DISTANCE OF 40.03 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF HIGH RIDGE ROAD (80.00 FEET WIDE); CONTINUE THENCE S89° 50' 23" E ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 223.50 FEET TO THE **POINT OF BEGINNING**; CONTINUE THENCE S89° 50' 23" E A DISTANCE OF 418.14 FEET; THENCE S02° 18' 16" E ALONG THE WEST LINE OF THE WEST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER (S.W. 1/4) OF THE SOUTHWEST QUARTER (S.W. 1/4) OF SAID SECTION 4, A DISTANCE OF 242.87 FEET; THENCE S57° 40' 43" W A DISTANCE OF 53.34 FEET; THENCE S85° 48' 21" W ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF HYPOLUXO ROAD (108 FEET WIDE) A DISTANCE OF 287.05 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N90° 00' 00" W A DISTANCE OF 84.61 FEET; THENCE N02° 18' 16" W A DISTANCE OF 293.60 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 2.703 ACRES MORE OR LESS.

SFRN PROJECT 95031
AUGUST 30, 1995

