

RESOLUTION NO. R-96-385

RESOLUTION APPROVING ZONING PETITION 295-102
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF THURSTON LAMBERSON
BY TOM JENSEN, AGENT
TLC DIVERSIFIED, 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 Unified Land Development Code (Ordinance 92-20), have been satisfied; and

WHEREAS, Zoning Petition 295-102 was presented to the Board of County Commissioners at a public hearing conducted on March 28, 1996; 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.

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 Z95-102, the petition of Thurston Lamberson, TLC Diversified, Inc. for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Multi Family Residential Medium Density(RM) Zoning District to the Light Industrial (IL) 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 March 28, 1996, 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 McCarty and, upon being put to a vote, the vote was as follows:

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

The Chair thereupon declared that the resolution was duly passed and adopted on March 28, 1996.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILXEN, CLERK

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK

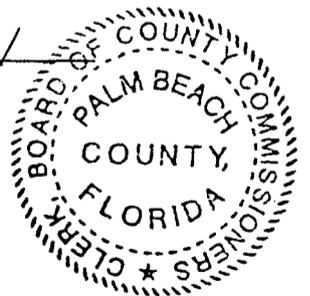


EXHIBIT A
LEGAL DESCRIPTION

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LEGAL DESCRIPTION

TLC DIVERSIFIED, INC. PARCEL

THE SOUTH HALF OF THE EAST HALF AND **THE EAST 15 FEET OF THE NORTH HALF** OF THE EAST HALF OF TRACT 2 BLOCK 6, PALM BEACH FARMS PLAT NO. 3, SHEET 3, PALM BEACH COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 2, PAGE 6, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
CONTAINING: 167,550 SQUARE FEET OR 3.8 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

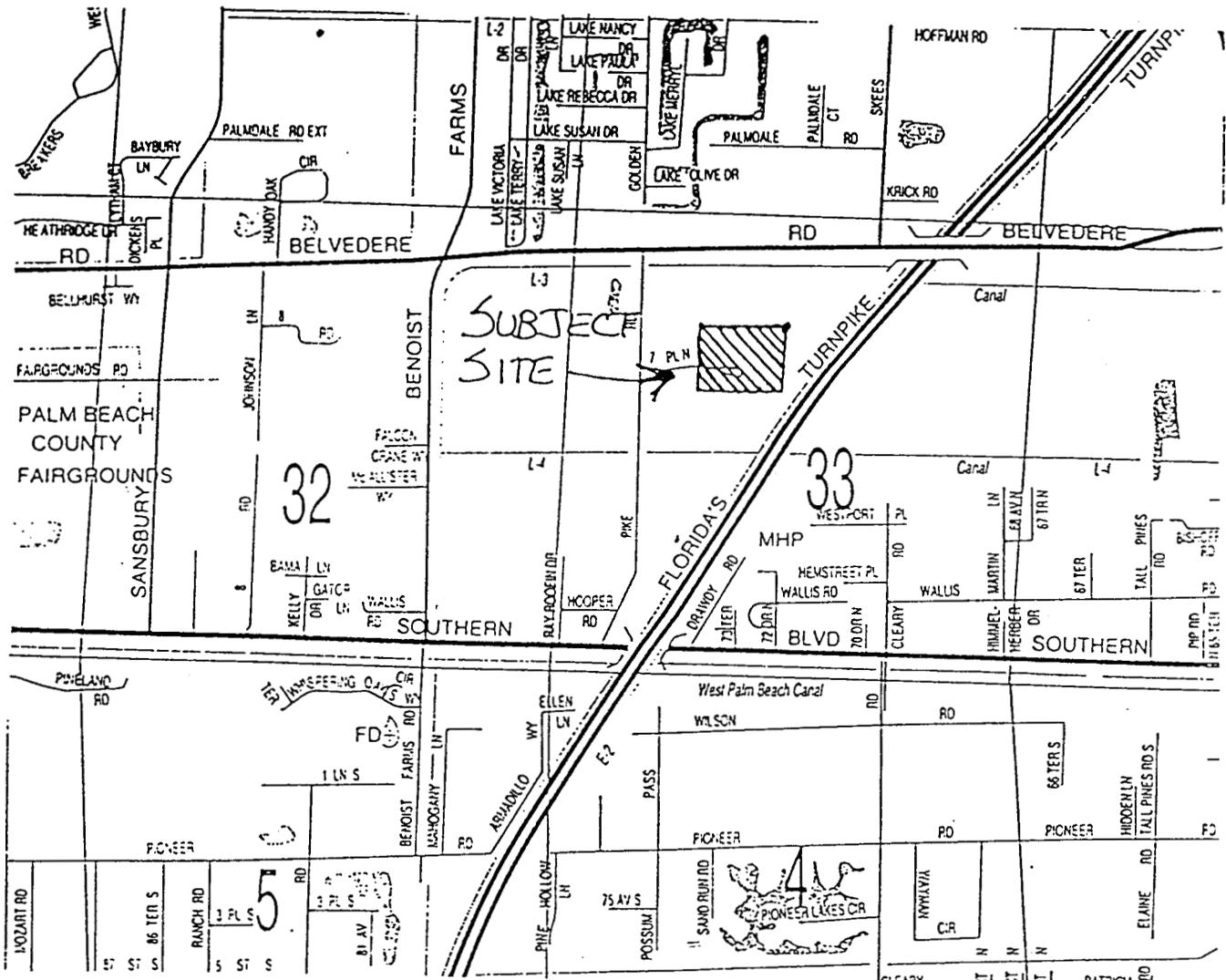


EXHIBIT C

VOLUNTARY COMMITMENTS

A. LWDD

1. The property owner has voluntarily agreed to convey to **the** Lake Worth Drainage District the South 12 feet of the North 50 feet of the East 15 feet of the North Half (N 1/2) of the East Half (**E 1/2**) of Tract 2, Block. 6 according to the plat of The Palm Beach Farms Company Plat No. 3, as recorded in Plat Book 2, Pages 45 to 54 inclu., public records of Palm Beach county, Florida for the required right-of-way for Lateral Canal No. 3, by Quit Claim Deed or an Easement Deed in the form provided by said District prior to issuance of any building permit for this site. (BLDG PERMIT: MONITORING - Lake Worth Drainage District)

E. ENGINEERING

1. Prior to issuance of the first Building Permit, the property owner shall obtain from the adjacent property owner 10 feet of property which shall be from Belvedere Road to this property's north property line. This additional property may either be in the form of fee simple ownership or a road right of way. (DATE/BLDG PERMIT: MONITORING / Eng)
2. The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or **as** it may from time to time be amended. The Fair Share Fee for this project, Zoning Petition Number 95-102, to be paid at the time of issuance of the Building Permit presently **is \$24,640.00 (448 trips X \$55.00 per trip)** (BLDG PERMIT: FAIR SHARE FEE COORDINATOR).
3. Prior to March 28, 1996 or approval by the Board of County Commissioners, the deeds for the property to provide compliance with voluntary condition number E.1 of Zoning Petition 95-102 shall be recorded in the Public Records, subject to approval by the County Attorney. (DATE: CTY ATTY)