

RESOLUTION NO. R-97-20

RESOLUTION APPROVING ZONING PETITION **Z93-57(A)**
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF **K HOVNANIAN AT DELRAY BEACH II, INC.**
BY ROBERT BENTZ, AGENT
(POLO TRACE II)

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 public hearing requirements, as provided for in Article 5 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20, as amended), have been satisfied; and

WHEREAS, Zoning Petition **Z93-57(A)** was presented to the Board of County Commissioners at a public hearing conducted on January 6, 1997; 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 Standards) of the Palm Beach County Unified Land Development Code; 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 DOA93-57(A), the petition of K Hovnanian at Delray Beach II, Inc., by Robert Bentz, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from Agricultural Residential (AR) Zoning District to Residential Single Family (RS) 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 6, 1997.

Commissioner McCarty 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:

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

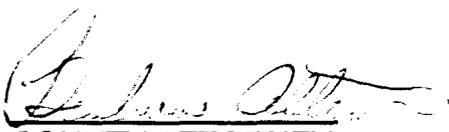
The Chair thereupon declared that the resolution was duly passed and adopted on January 6, 1997.

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

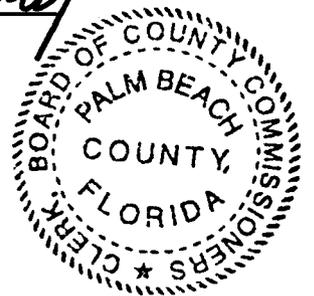


EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION: (AS PER WARRANTY DEED, O.R.B. 8259, PAGES 1062 & 1063)

THAT PART OF LOTS 1, 32, 33, 63 AND 64 OF PALM BEACH FARMS COMPANY PLAT NO. 1, AS RECORDED IN PLAT BOOK 2, PAGES 26 THROUGH 28, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING EAST OF THE EASTERLY RIGHT-OF-WAY OF SUNSHINE STATE PARKWAY IN SECTION 8, TOWNSHIP 46 SOUTH, RANGE 42 EAST; SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

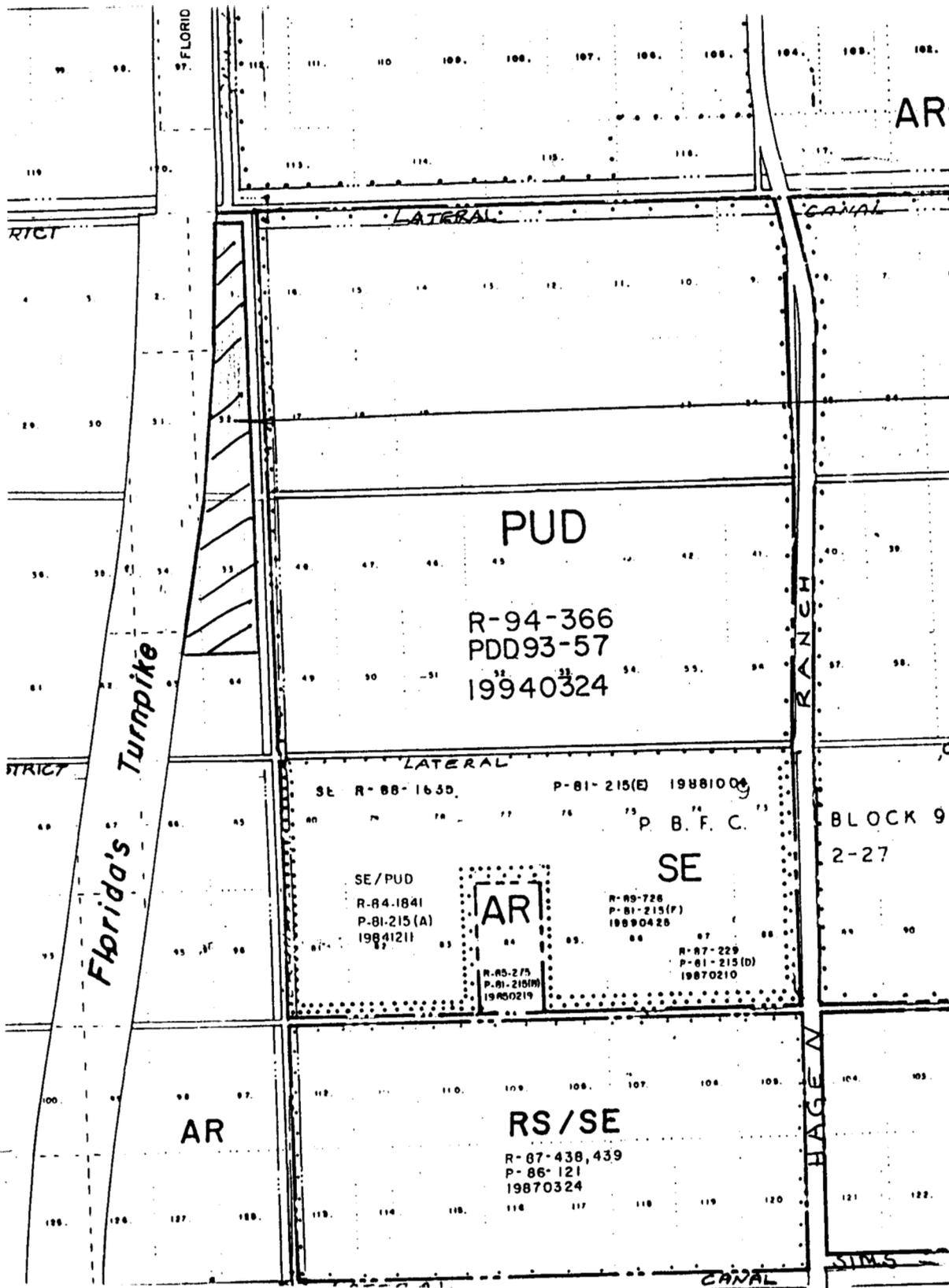
LESS THEREFROM THAT PORTION CONVEYED IN OFFICIAL RECORD BOOK 815, PAGE 77, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 5 ACRES OF TRACT 63 AND 64 OF PALM BEACH FARMS COMPANY PLAT NO. 1, AS RECORDED IN PLAT BOOK 2, PAGES 26 THROUGH 28, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING EAST OF THE EASTERLY RIGHT-OF-WAY OF SUNSHINE STATE PARKWAY IN SECTION 8, TOWNSHIP 46 SOUTH, RANGE 42 EAST; SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

THE ABOVE DESCRIBED PARCEL IS SUBJECT TO ALL INTERESTS, RESTRICTIONS, CONDITIONS, DEDICATIONS, RESERVATIONS, EASEMENTS AND OTHER MATTERS AS SET FORTH IN THE WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 8259, PAGES 1062 AND 1063 OF THE PUBLIC RECORD OF PALM BEACH COUNTY, FLORIDA.

EXHIBIT B

PALM BEACH COUNTY
VICINITY SKETCH/ZONING



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 Date: _____

