

RESOLUTION APPROVING ZONING PETITION Z78-239(A)  
OFFICIAL ZONING MAP AMENDMENT (REZONING)  
PETITION OF ST. HERMAN ORTHODOX CHURCH  
BY KEVIN MCGINLEY, AGENT  
(ST. HERMAN ORTHODOX CHURCH)

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 Z/DOA78-239(A) was presented to the Board of County Commissioners at a public hearing conducted on May 22, 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 Z78-239(A), the petition of St. Herman Orthodox Church, by Kevin McGinley, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Agricultural Residential (AR) Zoning District to the Residential Transitional Suburban (RTS) 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 May 22, 1997.

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

The Chair thereupon declared that the resolution was duly passed and adopted on May 22, 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

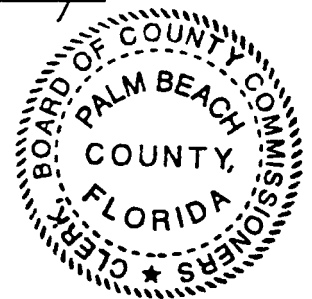


EXHIBIT A  
LEGAL DESCRIPTION

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EXHIBIT "A"

LEGAL DESCRIPTION ST. HERMAN CHURCH

*DESCRIPTION:*

That part of 'tho Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 12, Township 45 South, Range 42 East, the same being Tract 1 of said Northwest 1/4 of said Section 12, according to the public records of Palm Beach County, Florida, on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, more particularly described as follows:

Beginning at a point on the West right-of-way line of Military Trail, as presently located and existing and being the Southeast corner of the above described tract of land and proceed North along the West right-of-way line of Military Trail a distance of 40 feet for a point of beginning; thence run West a distance of 208 feet to a point; thence run North a distance of 208 feet to a point; thence run East a distance of 208 feet to a point; thence run South along the West right-of-way line of Military Trail to the Point of Beginning.

*LESS THE EAST 17 FEET THEREOF.*

EXHIBIT B

VICINITY SKETCH

