

RESOLUTION NO. R-97-2085

RESOLUTION APPROVING ZONING PETITION Z87-112(G)  
OFFICIAL ZONING MAP AMENDMENT (REZONING)  
PETITION OF JAMES O'BRIEN TRUSTEE  
BY CAROLE TURK, AGENT  
(WINSTON TRAILS PUD)

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 Z87-112(G) was presented to the Board of County Commissioners at a public hearing conducted on December 4, 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 Z87-112(G), the petition of James O'Brien Trustee, by Carole Turk, agent, for an OFFICIAL ZONING *MAP* AMENDMENT (REZONING) from the Agricultural Residential (AR) Zoning District to the 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 December 4, 1997.

Commissioner Marcus moved for the approval of the Resolution.

The motion was seconded by Commissioner Newell 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 December 4, 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

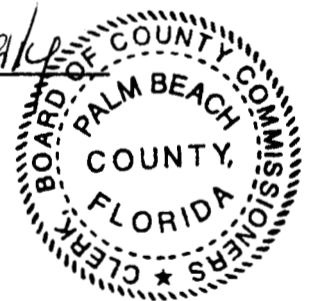


EXHIBIT A

LEGAL DESCRIPTION

PARCEL I:

That part of the Northeast-Quarter (NE 1/4) of the Northeast-Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 2, Township 45 South, Range 42 South, Range 42 East, Palm Beach County, Florida, lying East of the Easterly R/W line of L.W.D.D. Canal E-3, being more particularly described as follows:

FROM the Government Land Office corner in the Northeast corner of said Section 2, run thence Westerly on the North line of said Section 2, a distance of 2669.08 feet to the Quarter Section corner in the North line of said Section 2, which is also the Northeast corner of said Northeast-Quarter (NE 1/4) of the Northeast-Quarter (NE 1/4) of the Northwest-Quarter (NW 1/4) of said Section 2, thence Southerly on the East line of said Northeast-Quarter (NE 1/4) of the Northeast-Quarter (NE 1/4) of the Northwest-Quarter (NE 1/4) of Section 2, angling  $89^{\circ} 54' 40''$  from West to South, a distance of 226.20 feet to the POINT OF BEGINNING, thence continue Southerly on the same course a distance of 468.15 feet, thence run Westerly angling  $89^{\circ} 44' 26''$  from North to West a distance of 353.5 feet to a point on the Easterly R/W line of L.W.D.D. Canal No. E-3, thence run Northerly angling  $95^{\circ} 05' 27''$  from East to North a distance of 467.61 feet, thence Easterly parallel to the North line of Section 2, a distance of 392.94 feet to the POINT OF BEGINNING.

PARCEL II:

Being in Section 2, Township 45, Range 42;  
That part of the Northerly 226 feet of the Northeast-quarter (NE 1/4) of the Northeast-quarter (NE 1/4) of the Northwest-quarter (NW 1/4) lying East of existing location of L.W.D.D. Canal Number E-3, LESS the West 40 feet thereof for canal right-of-way.

EXHIBIT B  
VICINITY SKETCH

