

RESOLUTION NO. R-99-2075

RESOLUTION APPROVING ZONING PETITION 299-033  
OFFICIAL ZONING MAP AMENDMENT (REZONING)  
PETITION OF POUPORE LIMITED FAMILY PARTNERSHIP  
BY JOE LELONEK, AGENT  
(KIDSTOWN LEARNING CENTER)

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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 299-033 was presented to the Board of County Commissioners at a public hearing conducted on October 28, 1999; 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 Z99-033, the petition of Poupore Limited Family Partnership, by Joe Lelonek, 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 October 28, 1999.

Commissioner Aaronson 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:

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


The Chair thereupon declared that the resolution was duly passed and adopted on October 28, 1999.

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

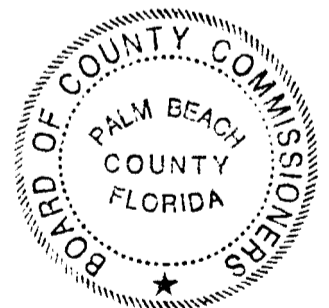


EXHIBIT A

LEGAL DESCRIPTION

DESCRIPTION:

A PARCEL OF LAND LYING IN TRACT 40 OF SUBDIVISION OF THE HIATUS BETWEEN TOWNSHIP 44 SOUTH AND TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST HALF (E. 1/2) OF LOT 2 OF SAID TRACT 40; THENCE S. 88°08'56"E., ALONG THE NORTH LINE OF SAID TRACT 40, BEING ALSO THE CENTERLINE OF STATE ROAD S-812, A DISTANCE OF 1135.0 FEET; THENCE SOUTH 23°18'35"E., A DISTANCE OF 44.19 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF SAID STATE ROAD S-812 AND THE POINT OF BEGINNING; THENCE CONTINUE S. 23°18'35"E., A DISTANCE OF 376.43 FEET; THENCE S. 89°43'11"W., PARALLEL WITH THE SOUTH LINE OF SAID TRACT 40, A DISTANCE OF 283.86 FEET; THENCE N. 22°52'52"W., A DISTANCE OF 386.73 FEET TO AN INTERSECTION WITH THE SAID SOUTH RIGHT OF WAY LINE OF STATE ROAD S-812; THENCE S. 88°08'56"E., ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 285.36 FEET TO THE POINT OF BEGINNING.

SUBJECT TO AN EASEMENT FOR ROAD AND UTILITIES PURPOSES OVER THE WEST 25 FEET THEREOF, AS MEASURED AT RIGHT ANGLES.

LESS AND NOT INCLUDING:

BEING A PORTION OF LAND FOR ADDITIONAL RIGHT OF WAY PURPOSES FOR HAGEN HANCH ROAD (OFFICIAL RECORDS BOOK 5298, PAGE 738) IN THE HIATUS IN TOWNSHIP 44 1/2 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; SAID PORTION BEING PART OF LOT 1, TRACT 40 OF THE PALM BEACH FARMS COMPANY PLAT NO. 13, AMENDED TO SHEET NO. 1 OF PLAT 3, PALM BEACH COUNTY, AS RECORDED IN PLAT BOOK 6, PAGES 98 AND 99, INCLUSIVE; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 33, TOWNSHIP 44 SOUTH, RANGE 42 EAST; THENCE N. 88°32'15"W. (BEARINGS USED FOR THIS PROJECT AND HEREIN ARE BASED ON PALM BEACH COUNTY SECTIONAL DATA, NORTH-SOUTH MID-SECTION LINE, SECTION 3-45-42, BEARING N. 0°47'13"W.) ALONG THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 852.45 FEET; THENCE S. 1°27'45"W., A DISTANCE OF 67.00 FEET TO A POINT ON THE SOUTH LINE OF LANTANA ROAD AND THE POINT OF BEGINNING; THENCE S. 23°41'35"E., A DISTANCE OF 346.60 FEET TO A POINT WHICH IS 764.97 FEET NORTHERLY OF THE SOUTH LINE OF SAID TRACT 40; THENCE S. 89°19'28"W., ALONG A LINE WHICH IS PARALLEL WITH THE SOUTH LINE OF SAID TRACT 40, A DISTANCE OF 2.36 FEET; THENCE N. 23°51'21"W., A DISTANCE OF 347.16 FEET TO A POINT ON THE SOUTH LINE OF LANTANA ROAD; THENCE S. 88°32'15"E., ALONG SAID LINE, A DISTANCE OF 3.48 FEET TO THE POINT OF BEGINNING.

AND LESS AND NOT INCLUDING:

BEING A PORTION OF LAND FOR ADDITIONAL RIGHT OF WAY PURPOSES FOR LANTANA ROAD (C.R. 812) IN THE HIATUS PARCEL IN TOWNSHIP 44 1/2 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; SAID PORTION BEING PART OF LOT 1, TRACT 40 OF THE PALM BEACH FARMS COMPANY PLAT NO. 13, AMENDED TO SHEET NO. 4 OF PLAT 3, PALM BEACH COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 6, PAGES 98 AND 99, INCLUSIVE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 33, TOWNSHIP 44 SOUTH, RANGE 42 EAST; THENCE N. 88°32'15"W. (BEARINGS USED FOR THIS PROJECT AND HEREIN ARE BASED ON PALM BEACH COUNTY SECTIONAL DATA, NORTH-SOUTH MID-SECTION LINE, SECTION 3-45-42, BEARING N. 0°47'13"W.) ALONG THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 865.12 FEET; THENCE S. 1°27'45"W., A DISTANCE OF 40.00 FEET TO A POINT ON THE SOUTH LINE OF LANTANA ROAD AND THE POINT OF BEGINNING; THENCE S. 23°41'35"E., A DISTANCE OF 29.83 FEET; THENCE N. 88°32'15"W., A DISTANCE OF 173.49 FEET; THENCE N. 84°43'24"W., A DISTANCE OF 115.92 FEET; THENCE N. 23°15'49"W., A DISTANCE OF 21.24 FEET TO THE SOUTH LINE OF LANTANA ROAD; THENCE S. 88°32'15"E., ALONG SAID LINE 285.36 FEET TO THE POINT OF BEGINNING.

EXHIBIT B  
VICINITY SKETCH

