

RESOLUTION NO. R-2008-0008

RESOLUTION APPROVING ZONING APPLICATION Z2006-1933  
(CONTROL NO. 2006-555)  
OFFICIAL ZONING MAP AMENDMENT (REZONING)  
APPLICATION OF GERALD BARBARITO  
BY COLOME & ASSOCIATES, INC., AGENT  
(ST. JOHN THE EVANGELIST EAST)

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 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067), have been satisfied; and

WHEREAS, Zoning Application Z2006-1933 was presented to the Board of County Commissioners at a public hearing conducted on January 3, 2008; 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 has considered the findings in the staff report and 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 stated purpose and intent and requirements of the Palm Beach County Unified Land Development Code. The rezoning request is also consistent with the requirements of all other applicable local land development regulations.
3. This official zoning map amendment (rezoning) is compatible and generally consistent with existing uses and zones surrounding the subject land, and is the appropriate zoning district for the land.
4. The applicant has demonstrated that there are sufficient changed conditions or circumstances that require an amendment.
5. 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.
6. This official zoning map amendment (rezoning) will result in a logical, orderly and timely development pattern.
7. This official zoning map amendment is consistent with applicable Neighborhood Plans.
8. This official zoning map amendment (rezoning) complies with Article 2.F (CONCURRENCY) of the Palm Beach County Unified Land Development Code.

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) 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 Application Z2006-1933, the application of Gerald Barbarito, by Colome & Associates, Inc., agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Residential Transitional Suburban Zoning District and the Agricultural Residential Zoning District to the Residential Transitional 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 3, 2008.

Commissioner Aaronson moved for the approval of the Resolution.

The motion was seconded by Commissioner Jeff Koons and, upon being put to a vote, the vote was as follows:

Addie L. Greene, Chairperson	- Aye
Jeff Koons, Vice Chair	- Aye
Karen T. Marcus	- Aye
Robert J. Kanjian	- Absent
Mary McCarty	- Absent
Burt Aaronson	- Aye
Jess R. Santamaria	- Absent

The Chairperson thereupon declared that the resolution was duly passed and adopted on January 3, 2008.

Filed with the Clerk of the Board of County Commissioners on January 3rd, 2008

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

SHARON R. BOCK,  
CLERK & COMPTROLLER

BY:

  
COUNTY ATTORNEY

BY:

  
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

TRACT 56, FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 2, IN SECTION ONE, TOWNSHIP 47 SOUTH, RANGE 41 EAST, LESS THAT PORTION OF TRACT 56 CONVEYED TO THE STATE ROAD DEPARTMENT BY DEED RECORDED IN DEED BOOK 637, PAGE 48, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 1, PAGE 102.

LESS AND NOT INCLUDING:

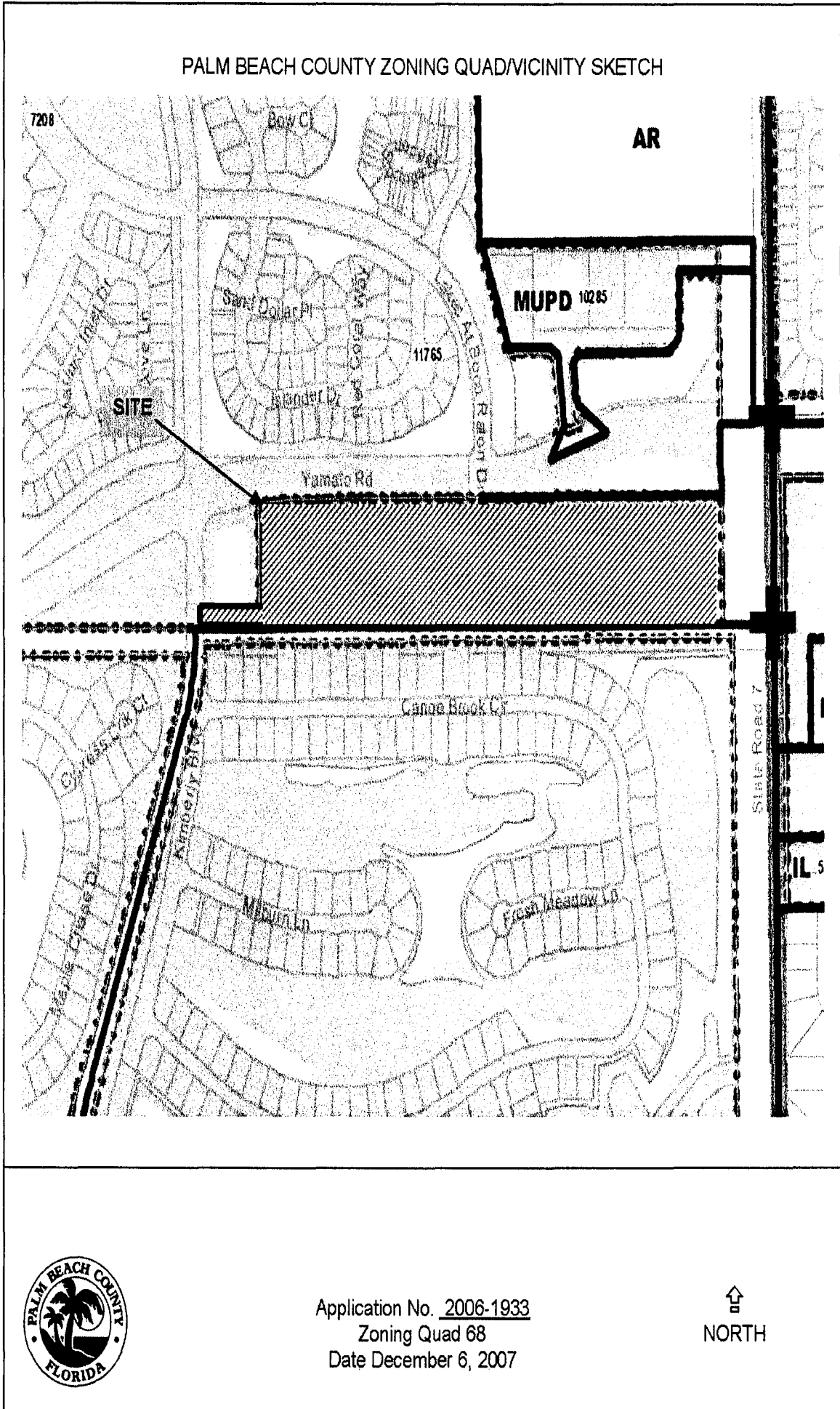
LEGAL DESCRIPTION: AREA OF TAKING RIGHT-OF-WAY STATE ROAD 7 (U.S. 441), BOCA RATON, PALM BEACH COUNTY, FLORIDA.

OWNER: THOMAS V. DAILY

A PARCEL OF LAND SITUATE IN THE SOUTHEAST QUARTER (S.E.1/4) OF SECTION 1, TOWNSHIP 47 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF TRACT 56 OF THE FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 2, AS RECORDED IN PLAT BOOK 1, AT PAGE 102 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 1; THENCE S.89°45'04"W., ALONG THE SOUTH LINE OF SECTION 1, AND ALONG THE SOUTH LINE OF TRACT 56 OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 2, A DISTANCE OF 71.32 FEET TO A POINT OF INTERSECTION WITH THE SAID SOUTH LINE AND THE EXISTING WEST RIGHT-OF-WAY LINE OF STATE ROAD 7, AS RECORDED IN ROAD PLAT BOOK 1 AT PAGES 35 THROUGH 41 OF SAID PUBLIC RECORDS; SAID INTERSECTION POINT ALSO BEING THE POINT OF BEGINNING; FROM THE POINT OF BEGINNING; CONTINUE S.89°45'04"W., ALONG SAID SOUTH TRACT LINE AND SAID SOUTH SECTION LINE, A DISTANCE OF 165.01 FEET; THENCE DEPARTING FROM SAID LINE N.00°45'15"W., ALONG THE PROPOSED WEST RIGHT-OF-WAY LINE OF STATE ROAD 7, A DISTANCE OF 375.33 FEET TO A POINT ON THE SOUTH LINE OF THE PLAT OF LAKES AT BOCA RATON PHASE 1, AS RECORDED IN PLAT BOOK 48 AT PAGE 139 THROUGH 141 OF SAID PUBLIC RECORDS; THENCE DEPARTING FROM SAID PROPOSED WEST RIGHT-OF-WAY LINE N.89°38'13"E., ALONG SAID SOUTH PLAT BOUNDARY LINE A DISTANCE OF 6.15 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 7 AS DEDICATED BY SAID PLAT OF LAKES AT BOCA RATON, PHASE 1; THENCE CONTINUE N.89°38'13"E., ALONG SAID SOUTH PLAT BOUNDARY LINE A CALCULATED DISTANCE OF 158.85 FEET (PLATTED DISTANCE IS 158.79 FEET) TO A POINT ON THE EXISTING WEST RIGHT-OF-WAY LINE OF STATE ROAD 7, AS RECORDED IN ROAD PLAT BOOK 1 AT PAGES 35 THROUGH 41 OF SAID PUBLIC RECORDS; THENCE S.00°45'15"E., ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 375.66 FEET TO THE POINT OF BEGINNING.

EXHIBIT B  
VICINITY SKETCH



Application No. 2006-1933  
Zoning Quad 68  
Date December 6, 2007

