

RESOLUTION NO. R-2009-0352

RESOLUTION APPROVING ZONING APPLICATION Z/DOA-2007-01185
(CONTROL NO. 1985-00072)
OFFICIAL ZONING MAP AMENDMENT (REZONING)
APPLICATION OF WINNERS CHURCH INTERNATIONAL
BY LAND RESEARCH MANAGEMENT, INC., AGENT
(WINNERS 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 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067), have been satisfied; and

WHEREAS, Zoning Application Z/DOA-2007-01185 was presented to the Board of County Commissioners at a public hearing conducted on February 25, 2009; 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 Z/DOA-2007-01185, the application of Winners Church International, by Land Research Management, Inc., agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the AR, RE Zoning District to the RE 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 February 25, 2009.

Commissioner Marcus moved for the approval of the Resolution.

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

Commissioner John F. Koons, Chairman	-	Aye
Commissioner Burt Aaronson, Vice Chairman	-	Aye
Commissioner Karen T. Marcus	-	Aye
Commissioner Shelley Vana	-	Aye
District 4	-	
Commissioner Jess R. Santamaria	-	Aye
Commissioner Addie L. Greene	-	Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on February 25, 2009.

Filed with the Clerk of the Board of County Commissioners on March 3rd, 2009.

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: [Signature]
COUNTY ATTORNEY

BY: [Signature]
DEPUTY CLERK

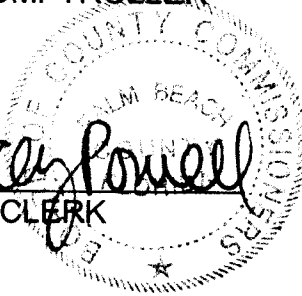


EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

A parcel of land in Section 3, Township 44 South, Range 42 East, Palm Beach County, Florida, described as follows:

BEGINNING at a point in a line parallel to and 440 feet North of (measured at right angles) the South line of Tract 13, Block 13, **PALM BEACH FARMS CO. PLAT NO. 3** as recorded in Plat Book 2, Pages 45 to 54 inclusive, and said point being 200 feet East of the West line of said Tract 13, run then East on said parallel line and its Easterly extension 428.07 feet MORE OR LESS to a point in the West right-of-way line of Jog Road; thence North on said right-of-way line 220.7 feet MORE OR LESS to a point in the Easterly extension of the North line of said Tract 13; thence run West along said Easterly extension and along the North line of said Tract 13, a distance of 433.74 feet MORE OR LESS to a point 200 feet East of the West line of said tract 13; thence South parallel to the West line of Tract 13, a distance of 220 feet to the **POINT OF BEGINNING**.

LESS THE FOLLOWING:

A parcel of land for road right-of-way purposes, being a part of the hiatus bounded on the West by **PALM BEACH FARMS COMPANY PLAT NO. 3** as recorded in Plat Book 2, Pages 45 through 54, inclusive of the Public Records of Palm Beach County, Florida and on the East by the existing right-of-way line of Jog Road (80 foot width) as now laid out and in use and also being a part of Tract 13 of Block 13 of said Plat of **PALM BEACH FARMS COMPANY PLAT NO. 3**, all lying in Section 3, Township 44 South, Range 42 East, Palm Beach County, Florida, more particularly described as follows:

COMMENCING at the South Quarter corner of said Section 3; thence North 00 degrees 29' 20" East (Bearings shown hereon are based on the North/South Quarter Section line of Section 3, which bears North 00 degrees 29' 20" East along the North/South Quarter Section line of said Section 3, a distance of 3,386.06 feet; thence at right angles to the preceding course North 89 degrees 30' 40" West a distance of 40.00 feet to the point of intersection of said existing Westerly right-of-way line of Jog Road with the Easterly Prolongation of Line 440 feet North of and parallel with (as measured at right angles to) the Southerly tract line said Tract 13, Block, **PALM BEACH FARMS COMPANY PLAT NO. 3** and **POINT OF BEGINNING**:

Thence South 89 degrees 01' 23" West along said Easterly prolongation also being the Southerly property line of Lot 8 of the unrecorded Plat of the survey for Beatrice Black prepared by Weimer and Company, dated 11/6/69 a distance of 15.88 feet to the proposed Westerly right-of-way line of Jog Road; thence North 01 degree 50' 27" West along said proposed Westerly right-of-way line, a distance of 180.40 feet; thence North 46 degrees, 24' 32" West along the chord of a 25.00 foot radius curve, a distance of 35.09 feet to a line 15 feet South of and parallel with (as measured at right angles to) the Northerly tract line of said Tract 13 and Northerly property line of said line of said Lot 8; thence South 89 degrees 01' 23" West along said parallel line a distance of 130.45 feet; thence North 00 degree 58' 37" West, a distance of 15.00 feet to the Northerly Tract line of said Tract 13 and Northerly property line of said Lot 8; thence North 89 degrees 01' 23" East along said Northerly tract line of Tract 13 and said Northerly property line of Lot 8 a distance of 179.60 feet to said existing Westerly right-of-way line of Jog Road; thence South 00 degrees 29' 20" West along said existing Westerly right-of-way line of Jog Road a distance of 220.08 feet to the **POINT OF BEGINNING**.

PARCEL 2:

A parcel of land in Section 3, Township 44 South, Range 42 East, Palm Beach County, Florida, described as:

BEGINNING at a point in a line parallel to and 220 feet North of (measured at right angles) the South line of Tract 13, Block 13, **PALM BEACH FARMS CO. PLAT NO. 3**, as recorded

in Plat Book 2, Pages 45 to 54, inclusive, and said point being 200 feet East of the West line of said Tract 13; run thence East on said parallel line 422.40 feet, MORE OR LESS, to a point in the West right-of-way line of Jog Road; thence North on said right-of-way line 220.07 feet; MORE OR LESS, to a point in a line parallel to and 440 feet North of (measured at right angles) the South line of Tract 13; thence West on said parallel line 428.07 feet, MORE OR LESS to a point 200 feet East of the North line of Tract 13, thence South parallel to the West line of said Tract 13 a distance of 220 feet to the **POINT OF BEGINNING**.

PARCEL 3:

The West 200 feet of Tract 13, Block 13, **PALM BEACH FARMS COMPANY, PLAT NO. 3**, according to the plat thereof, recorded in Plat Book 2, Pages 45 to 54, LESS AND EXCEPT that part conveyed to Palm Beach County, Florida, as described in Book 9044, Page 809, of the Public Records of Palm Beach County, Florida.

PARCEL 4:

A part of Tract 14, Block 13, **PALM BEACH FARMS CO. PLAT NO. 3**, according to the Plat recorded in Plat Book 2, Page 45, as recorded in the Public Records of Palm Beach County, Florida, more particularly described as follows:

BEGINNING at a concrete monument marking the Southeast corner of said Tract 14; thence South 90 degrees 00' 00" West (assumed) 75.00 feet along the South line of Tract 14; thence North 00 degrees 02' 35" West 344.22 feet parallel to the East line of Tract 14; thence North 89 degrees 59' 23" West 585.13 feet parallel to the South right of way line of Pioneer Road to the West line of said tract 14; thence North 00 degrees 02' 35" West 290.80 feet along said West line to the South right of way of Pioneer Road, which line is 25 feet South and parallel to the original North line of said Tract 14; thence South 89 degrees 59' 23" East 660.13 feet along the South right-of-way line of pioneer road to the East line of said Tract 14; thence South 00 degrees 02'35" East 635.00 feet along said East line to the **POINT OF BEGINNING** and containing 5.00 acres, MORE OR LESS. Subject to all easements and restrictions of record.

PARCEL 5:

A parcel of land in Section 3, Township 44 South, Range 42 East, Palm Beach County, Florida, described as:

BEGINNING at a point in the South line of Tract 13, Block 13, **PALM BEACH FARMS COMPANY, PLAT NO. 3**, as recorded in Plat Book 2, Pages 45 through 54, inclusive, and said point being 200 feet East of the Southwest corner of Tract 13 and run East on the South line of Tract 13 and its Easterly extension a distance of 416.73 feet, more or less, to a point in the West right of way line of Jog Road; Thence, North along said right of way line 220.07 feet, more or less, to a point in a line parallel to and 220 feet North of (measured at right angles) the South line of said Tract 13; Thence, West on said parallel line 422.40 feet, more or less, to a point 200 feet East of the West line of said Tract 13; Thence, South parallel to the West line of said Tract 13, a distance of 220 feet to the **POINT OF BEGINNING**.

PARCEL 6:

The North 130.00 feet of the following described parcel:

Tract 24, Block 13, **PALM BEACH FARMS COMPANY, PLAT NO. 3**, as recorded in Plat Book 2, Pages 45 through 54, inclusive, Public Records of Palm Beach County, Florida; together with that portion of the West 1/2 of Section 3, Township 44 South, Range 42 East, lying Easterly of said Tract 24, Block 13, **PALM BEACH FARMS COMPANY, PLAT NO. 3**, LESS the Easterly 40 feet, thereof for road purposes.

EXHIBIT B
VICINITY SKETCH

