

RESOLUTION NO. R-2009- 0491

RESOLUTION APPROVING ZONING APPLICATION ZV/Z/CA-2008-01915  
(CONTROL NO. 2002-00064)  
OFFICIAL ZONING MAP AMENDMENT (REZONING)  
APPLICATION OF Palm Beach County - Ross Hering  
BY JOHNSTON GROUP Land Development Consultants, Inc., AGENT  
(Boys and Girls Club)

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 ZV/Z/CA-2008-01915 was presented to the Board of County Commissioners at a public hearing conducted on March 30, 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 ZV/Z/CA-2008-01915, the application of Palm Beach County - Ross Hering, by JOHNSTON GROUP Land Development Consultants, Inc., agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Professional Office (PO) 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 March 30, 2009.

Commissioner Marcus moved for the approval of the Resolution.

The motion was seconded by Commissioner Burt 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 |
| Commissioner Steven L. Abrams             | - | Aye |
| Commissioner Jess R. Santamaria           | - | Aye |
| Commissioner Addie L. Greene              | - |     |

The Chairperson thereupon declared that the resolution was duly passed and adopted on March 30, 2009.

Filed with the Clerk of the Board of County Commissioners on April 2, 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:   
COUNTY ATTORNEY

BY:   
DEPUTY CLERK




EXHIBIT A

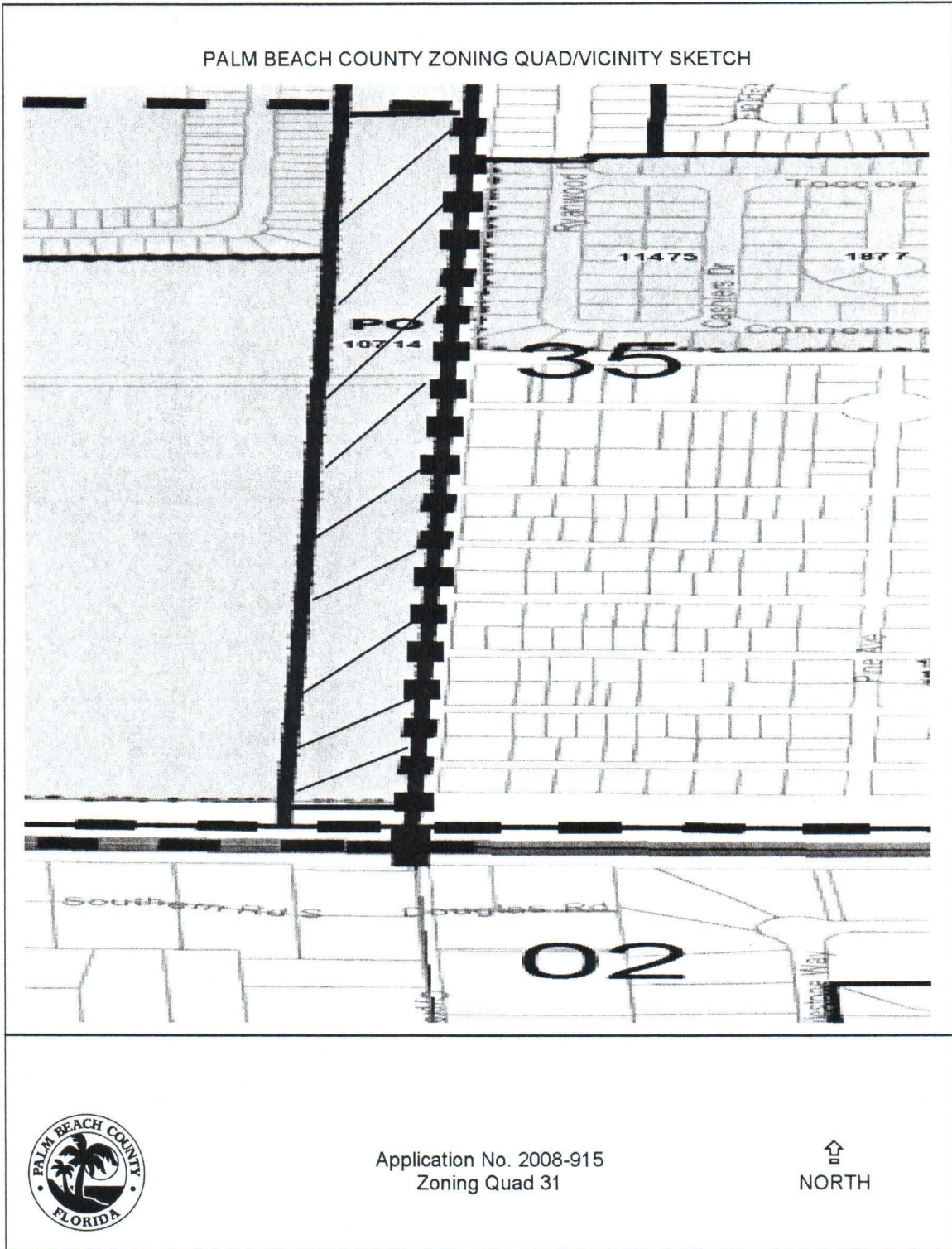
LEGAL DESCRIPTION

A PORTION OF THE 210.00 FOOT STRIP OF LAND EAST OF BLOCK 5, "THE PALM BEACH FARMS COMPANY PLAT NUMBER 3", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 34, TOWNSHIP 43 SOUTH, RANGE 42 EAST; THENCE NORTH 88°18'15" WEST, ALONG THE NORTH LINE OF SAID SECTION 34, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01°28'32" WEST, ALONG A LINE 30.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SECTION 34, A DISTANCE OF 100.00 FEET; THENCE SOUTH 07°03'01" EAST, A DISTANCE OF 202.35 FEET; THENCE SOUTH 01°28'32" WEST, ALONG THE EAST LINE OF SAID SECTION 34, A DISTANCE OF 2336.84 FEET; THENCE SOUTH 01°28'02" WEST, ALONG SAID EAST LINE, A DISTANCE OF 110.00 FEET; THENCE SOUTH 68°59'16" WEST, A DISTANCE OF 156.92 FEET; THENCE NORTH 88°31'58" WEST, A DISTANCE OF 65.00 FEET; THENCE NORTH 01°28'02" EAST, ALONG THE WEST LINE OF THE EAST 210.00 FEET OF SAID SECTION 34, A DISTANCE OF 170.07 FEET; THENCE NORTH 01°28'32" EAST, ALONG THE WEST LINE OF THE EAST 210.00 FEET OF SAID SECTION 34, A DISTANCE OF 2637.61 FEET; THENCE SOUTH 88°18'15" EAST, ALONG THE NORTH LINE OF SAID SECTION 34, A DISTANCE OF 180.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA AND CONTAIN 13.296 ACRES, MORE OR LESS.

EXHIBIT B  
VICINITY SKETCH



Application No. 2008-915  
Zoning Quad 31

↑  
NORTH