

RESOLUTION NO. R-2003-0107

RESOLUTION APPROVING ZONING PETITION Z1981-096C
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF SOLID WASTE AUTHORITY
BY KIERAN J. KILDAY, AGENT
(LANTANA ROAD TRANSFER STATION)

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 Z1981-096C was presented to the Board of County Commissioners at a public hearing conducted on January 9, 2003 and January 23, 2003; 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 Z1981-096C, the petition of Solid Waste Authority, by Kieran J. Kilday, agent, for An Official Zoning Map Amendment (Rezoning) from The Residential Single Family Zoning District to The Public Ownership 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 23, 2003.

Commissioner Newell moved for the approval of the Resolution.

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

Karen T. Marcus, Chair	-	Absent
Tony Masiolotti, Vice Chairman	-	Aye
Jeff Koons	-	Aye
Warren H. Newell	-	Aye
Mary McCarty	-	Aye
Burt Aaronson	-	Aye
Addie L. Greene	-	Aye

The Chair thereupon declared that the resolution was duly passed and adopted on January 23, 2003.

Filed with the Clerk of the Board of County Commissioners on 26 day of February, 2003.

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

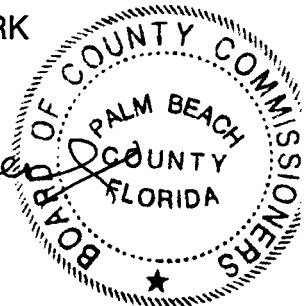


EXHIBIT A

LEGAL DESCRIPTION

DESCRIPTION - PARCEL "A"

A PARCEL OF LAND LYING IN THE NW 1/4 OF THE NW 1/4 OF SECTION 4, TOWNSHIP 45 SOUTH, RANGE 43 EAST, AND IN TRACT 37 OF THE HIATUS, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: FROM THE NORTHWEST CORNER OF SECTION 4, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, RUN SOUTH 89 DEGREES 54 MINUTES 57 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION 4, A DISTANCE OF 500.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 3 DEGREES 45 MINUTES 48 SECONDS WEST, ALONG A LINE PARALLEL WITH THE WEST LINE OF SAID SECTION 4, A DISTANCE OF 1098.99 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF THE SOUTH 8 ACRES OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 4; THENCE SOUTH 88 DEGREES 43 MINUTES 18 SECONDS EAST ALONG THE SAID NORTH LINE, A DISTANCE OF 412.05 FEET, MORE OR LESS, TO A POINT ON A LINE 400.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES, AND PARALLEL WITH THE EAST LINE OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 4; THENCE NORTH 1 DEGREE 25 MINUTES 30 SECONDS EAST ALONG THE SAID PARALLEL LINE, A DISTANCE OF 1105.61 FEET, MORE OR LESS TO A POINT ON THE NORTH LINE OF SAID SECTION 4, THENCE RUN NORTH 89 DEGREES 54 MINUTES 5 SECONDS WEST ALONG THE NORTH LINE OF SAID SECTION 4, A DISTANCE OF 400 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

LESS AND EXCEPTING FROM THE ABOVE THAT PORTION CONVEYED TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR RIGHT-OF-WAY FOR SR 9 (1-95) BY VIRTUE OF THAT ORDER OF TAKING RECORDED JUNE 27, 1973 IN OFFICIAL RECORD BOOK 2179, PAGE 542 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

AND

DESCRIPTION - PARCEL "B"

COMMENCING AT THE NORTHWEST CORNER OF SECTION 4, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA; RUN THENCE SOUTH 38°-46'-44" WEST ALONG THE WEST LINE OF SAID SECTION 4, A DISTANCE OF 500.0 FEET TO THE SOUTHWEST CORNER OF PARCEL CONVEYED TO WILLIAM B. AND AVIS M. NORTON BY DEED RECORDED IN DEED BOOK 710, PAGE 5, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 89°-54'-31" EAST ALONG THE SOUTH LINE SAID NORTON PARCEL AND ALSO BEING PARALLEL WITH THE NORTH LINE OF SAID SECTION 4, A DISTANCE OF 139.04 FEET TO THE EASTERLY RIGHT OF WAY LINE OF HIGH RIDGE ROAD AS SAME IS DESCRIBED IN OFFICIAL RECORD BOOK 208, PAGES 626 AND 628 AND THE POINT OF BEGINNING OF THE DESCRIBED PARCEL; THENCE CONTINUE SOUTH 89°-54'-31" EAST, A DISTANCE OF 360.96 FEET; THENCE SOUTH 38°-46'-44" WEST AND PARALLEL WITH THE WEST LINE OF SAID SECTION 4, A DISTANCE OF 599.05 FEET MORE OR LESS TO THE NORTH LINE OF THE SOUTH 8 ACRES OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 4; THENCE NORTH 88°-42'-22" WEST ALONG THE SAID NORTH LINE OF THE SOUTH 8 ACRES, A DISTANCE OF 458.69 FEET TO A POINT IN THE SAID EASTERLY RIGHT OF WAY LINE OF HIGH RIDGE

ROAD; THENCE NORTHERLY ALONG SAID RIGHT OF WAY LINE ALSO BEING IN THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1870.08 FEET. SUBTENDING A CENTRAL ANGLE OF 11 $\frac{1}{4}$ -04'-34", A DISTANCE OF 361.51 FEET TO THE END OF SAID CURVE; THENCE NORTH 16 $\frac{1}{4}$ -25'-57" EAST, A DISTANCE OF 243.47 FEET TO THE POINT OF BEGINNING.

CONTAINING 5.73 ACRES, MORE OR LESS.

TOTAL PARCEL "A" AND "B" 13.881 ACRES.

EXHIBIT B
VICINITY SKETCH

