

RESOLUTION NO. R-93- 171

RESOLUTION APPROVING ZONING PETITION 92-17  
DISTRICT BOUNDARY CHANGE (REZONING)  
FROM THE AGRICULTURAL RESIDENTIAL (AR) ZONING DISTRICT  
TO THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT  
PETITION OF PASSAGE LAND PARTNERSHIP

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 hearing requirements, as provided for in Chapter 402.5 of the Palm Beach County Zoning Code (Ordinance 73-2, as amended), have been satisfied; and

WHEREAS, Zoning Petition 92-17 was presented to the Board of County Commissioners at a public hearing conducted on January 28, 1993; 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, this approval is subject to the Zoning Code, Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The subject property has a future land use designation of Commercial Low Intensity (CL) on 28.53 acres.
2. The Community Commercial (CC) Zoning District is consistent with the CL future land use designation.
3. The CC zoning district is consistent with and furthers the goals of the Palm Beach County Comprehensive Plan.
4. It is appropriate and timely to allow limited commercial development in this location in order to serve the present and future residents of the community.
5. This district boundary change (rezoning) is consistent with the objectives of the County to serve the needs of the population and economic activities of the area.
6. This district boundary change (rezoning) regulates the intensity of development and the use of this land and promotes orderly growth.
7. This district boundary change (rezoning) was conducted in compliance and conformity with all procedures of the Zoning Code (Ordinance 73-2, as amended).
8. This district boundary change (rezoning) is consistent with the requirements of all applicable local land development regulations.

WHEREAS, Chapter 402.5 of the Zoning Code (Ordinance 73-2, as amended) 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 92-17, the petition of PASSAGE LAND PARTNERSHIP by Kieran Kilday, agent, for a DISTRICT BOUNDARY CHANGE (REZONING) from the AGRICULTURAL RESIDENTIAL (AR) ZONING DISTRICT to the COMMUNITY COMMERCIAL (CC) 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 **28**, 1993, as advertised.

Commissioner McCarty 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:

Mary McCarty, Chair	--	Aye
Burt Aaronson	--	Aye
Ken Foster	--	Aye
Maude Ford Lee	--	Nay
Karen T. Marcus	--	Say
Warren Newell	--	Aye
Carol A. Roberts	--	Nay

The Chair thereupon declared that the resolution was duly passed and adopted this 28th day of January, 1993.

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.

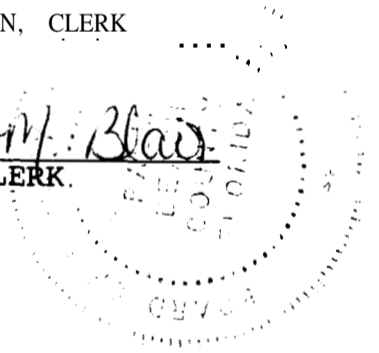
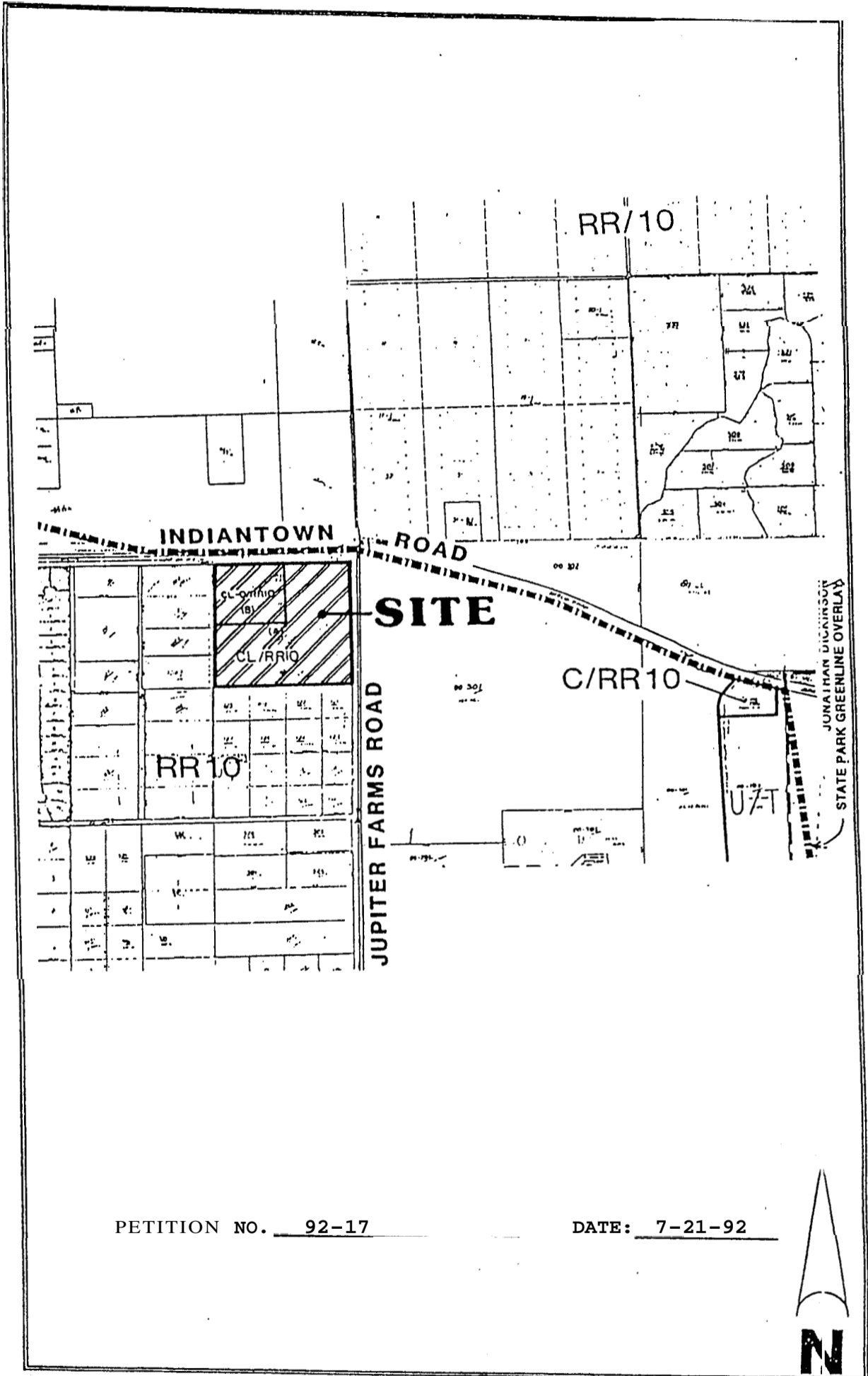


EXHIBIT B  
VICINITY SKETCH



PETITION NO. 92-17

DATE: 7-21-92

EXHIBIT A

DESCRIPTION — PARCEL 1 (CL)

A PARCEL OF LAND LYING IN THE NORTHEAST QUARTER (NE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 1, TOWNSHIP 41 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, PUBLIC RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 1; THENCE SOUTH 01° 59' 45" WEST, ALONG THE EAST LINE OF SAID SECTION 1, A DISTANCE OF 55.10 FEET TO THE INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF INDIANTOWN ROAD (STATE ROAD #706); THENCE NORTH 87° 45' 24" WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 50.17 FEET TO THE INTERSECTION WITH THE WEST CANAL RIGHT-OF-WAY LINE, AS SHOWN ON THE REPLAT OF JUPITER FARMS AND GROVES, AS RECORDED IN PLAT BOOK 24, PAGE 7, PALM BEACH COUNTY, FLORIDA, PUBLIC RECORDS; SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE NORTH 87° 45' 24" WEST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 269.98 FEET; THENCE NORTH 89° 56' 49" WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 646.03 FEET; THENCE SOUTH 01° 59' 50" WEST, A DISTANCE OF 292.22 FEET; THENCE SOUTH 88° 00' 10" EAST, A DISTANCE OF 462.00 FEET; THENCE SOUTH 01° 59' 50" WEST, A DISTANCE OF 410.00 FEET; THENCE NORTH 88° 00' 10" WEST, A DISTANCE OF 822.00 FEET TO THE INTERSECTION WITH THE WEST LINE OF SAID NORTHEAST QUARTER (NE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 1; THENCE SOUTH 01° 59' 50" WEST, ALONG SAID WEST LINE, A DISTANCE OF 697.07 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 1; THENCE SOUTH 89° 58' 02" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 1272.53 FEET TO THE INTERSECTION WITH SAID WEST CANAL RIGHT-OF-WAY LINE, AS SHOWN ON THE REPLAT OF JUPITER FARMS AND GROVES; THENCE NORTH 02° 10' 08" EAST, ALONG SAID WEST CANAL RIGHT-OF-WAY, A DISTANCE OF 1286.44 FEET TO THE POINT OF BEGINNING,

CONTAINING 28,531 ACRES, MORE OR LESS,

(\*REZONING FROM AR TO CC)