

RESOLUTION NO. R-94-10

RESOLUTION APPROVING ZONING PETITION Z83-35(A)
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF GORDON & BARBARA **WHELER**

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 Article 5 (Development Review Procedures) of the Palm Beach county Land Development Code (Ordinance **92-20**), have been satisfied; and

WHEREAS, Zoning Petition **Z83-35(A)** was presented to the Board of County Commissioners at a public hearing conducted on January 3, 1994; 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 Land Development Code;
3. This official zoning **map** amendment (rezoning) is compatible with surrounding uses and zones, as defined in the Palm Beach County 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) of the Palm Beach County Land Development Code, Ordinance 92-20; 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 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 283-35(A), the petition of Gordon & Barbara Wheler for a OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Multi-Family Residential (Medium Density) **(RM)** and General Commercial (CG) ZONING DISTRICTS to the General Commercial (CG) 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, 1994.

Commissioner Roberts moved for the approval of the Resolution.

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

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

The Chair thereupon declared that the resolution was duly passed and adopted this 3rd day of January, 1994.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: *Paula Altman*
COUNTY ATTORNEY

BY: *Jina M. Blair*
DEPUTY CLERK

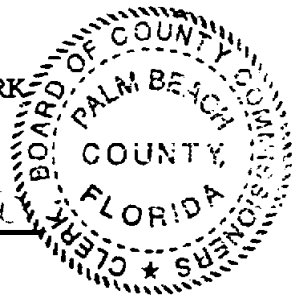


EXHIBIT 'A'

(PARCEL 1)

A PARCEL OF LAND LYING IN SECTION 13, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 1, 2, 3, 4, 5, AND 6 OF VELDOR SUBDIVISION, AS RECORDED IN PLAT BOOK 23, PAGE 50, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS AND EXCEPT THE WEST 50 FEET OF LOT 6 AND THE EAST 13 FEET OF LOTS 1 AND 2 FOR ADDITIONAL ROAD RIGHT-OF-WAY. ~~TOGETHER~~ WITH :

(PARCEL 2)

A PARCEL OF LAND LYING IN SECTION 13, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 13.0 FEET WEST OF THE NORTHEAST CORNER OF LOT 1 OF VELDOR SUB-DIVISION, AS RECORDED IN PLAT BOOK 23, PAGE 50, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID POINT BEING LOCATED 53 FEET, WEST OF THE CENTERLINE OF MILITARY TRAIL ALONG THE EXISTING WESTERLY RIGHT-OF-WAY LINE; THENCE NORTH $88^{\circ}04'42''$ WEST ALONG THE NORTH LINE OF SAID VELDOR SUBDIVISION, A DISTANCE 468.29 FEET; THENCE NORTH $01^{\circ}55'18''$ EAST, A DISTANCE OF 167.97 FEET; THENCE SOUTH $88^{\circ}06'15''$ EAST, A DISTANCE OF 467.63 FEET TO A POINT ALONG THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF MILITARY TRAIL, THENCE SOUTH $01^{\circ}41'42''$ WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 168.19 FEET TO THE AFOREMENTIONED POINT OF BEGINNING;

CONTAINING 3.35 ACRES

83-35 A

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9-15-93

EXHIBIT B
 (location sketch)

