

RESOLUTION NO. -R-94- 113

RESOLUTION APPROVING ZONING PETITION 286-96(D)
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF WILLIAM LYONS COMPANY

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 286-96(D) was presented to the Board of County Commissioners at a public hearing conducted on January 27, 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 **Z86-96(D)** the petition of William Lyons Company for a OFFICIAL ZONING MAP AMENDMENT (REZONING) from the AGRICULTURAL RESIDENTIAL (AR) ZONING DISTRICT to the RESIDENTIAL TRANSITIONAL SUBURBAN (RTS) 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 27, 1994.

Commissioner Aaronson moved for the approval of the Resolution.

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

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

The Chair thereupon declared that the resolution was duly passed and adopted this 27th 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:


COUNTY ATTORNEY

BY:


DEPUTY CLERK

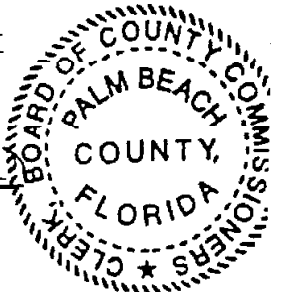


EXHIBIT h

LEGAL DESCRIPTION

DESCRIPTION

A portion of Block 40, PALM BEACH FARMS CO. PLAT NO. 3 of Section 10, Township 45 South, Range 42 East, according to the plat thereof, as recorded in Plat Book 2, Pages 45 through 54 of the Public Records of Palm Beach County, Florida, AND a portion of Day Care Tract, LAKE CHARLESTON PLAT NO. 3, according to the plat thereof as recorded In Plat Book 62, Pages 55 through 68 of the Public Records of Palm Beach County, Florida, more particularly described as follows:

BEGINNING at the most Northeasterly corner of Tract B, of said LAKE CHARLESTON PLAT NO. 3; thence S89°06'58"W, along, the boundary of said Tract B, 650.59 feet; thence N45°53'02" W, along said boundary 565.69 feet to the Southeast corner of said Day Care Tract, thence S49°08'06"W, along the southeasterly boundary of said Day Care-Tract, 206.58 feet to the Southwest corner of said Day Care Tract; thence N25°39'36"E, 200.56 feet; thence northeasterly, along the arc of a tangent curve, concave to the southeast having a radius of 263.00 feet, a delta of 50°47'23", an arc distance of 233.14 feet; thence tangent to said curve N76°26'59"E, 484.45 feet; thence easterly along the arc of a tangent curve concave to the south, having a radius of 263.00 feet, a delta of 16°47'18", an arc distance of 77.06 feet; thence tangent to said curve, S86°45'43"E, 435.45 feet to a point on the West right-of-way line of Jog Road per Official Records Book 5897, page 1784 of the Public Records of Palm Beach County, Florida; thence S 02°20'10" W, along said West right-of-way line, 353.95 feet; thence Southerly along the arc of a tangent curve being concave to the West, having a radius of 7,579.44 feet, a delta of 00°30'49" and an arc distance of 67.94 feet; thence tangent to said curve S 02°50'59" W, 177.84 feet; thence S04°26'54" W, 68.35 feet to the POINT OF BEGINNING (the preceding 4 courses being coincident with said West right-of-way line).

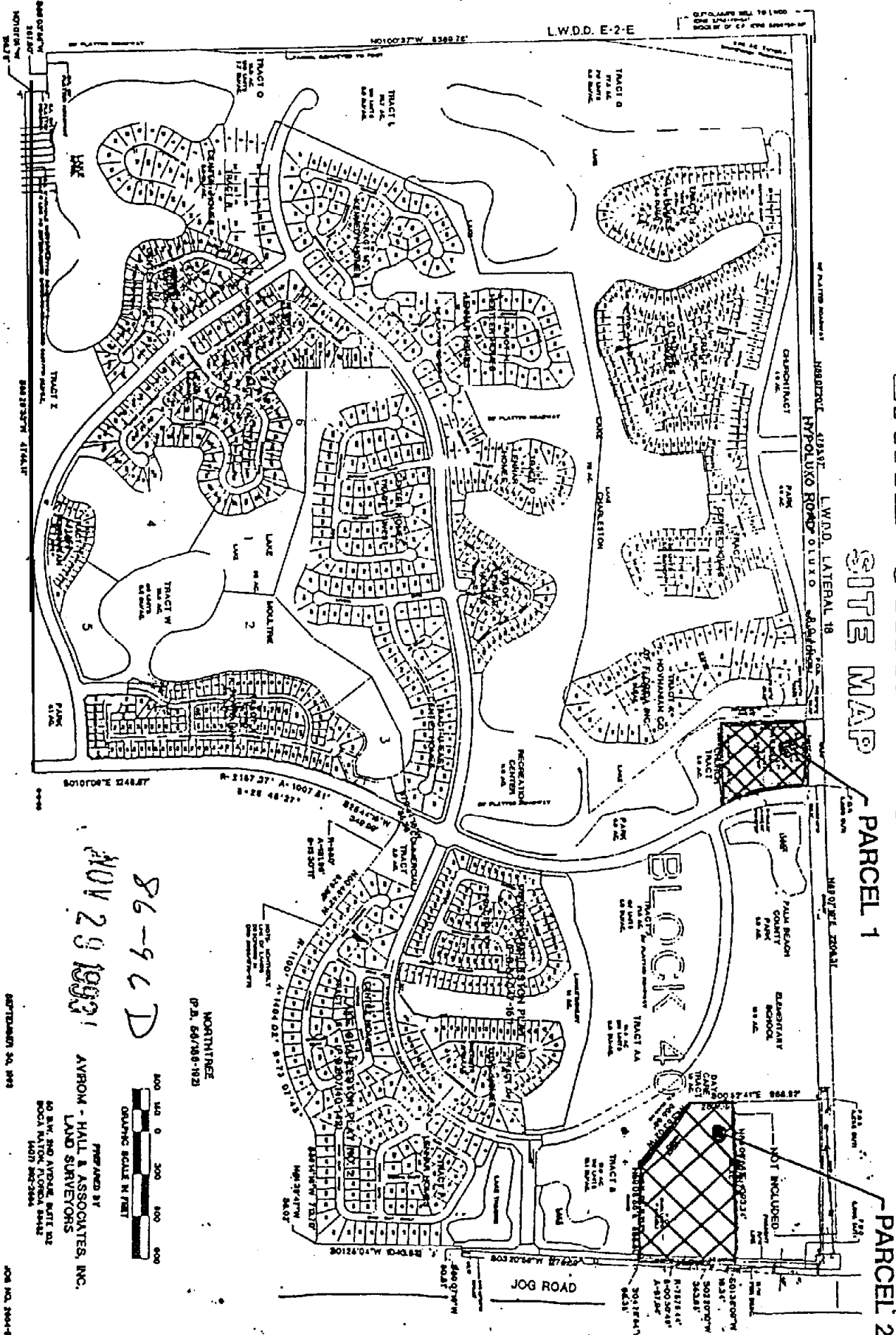
Said lands lying in Palm Beach County, Florida, containing 14.65 Acres, more or less.

EXHIBIT B.

VICINITY SKETCH

FLORIDA TURNPIKE

L.W.D.D. E-2-E



LAKE CHARLESTON
SITE MAP
PARCEL 1

PARCEL 2

NOV 29 1993
86-96 D

NORTHLINE
P.B. 66/86-182



PREPARED BY
AYBOM - HALL & ASSOCIATES, INC.
LAND SURVEYORS
40 S.W. 2ND AVENUE, SUITE 202
BOCA RATON, FLORIDA 33432
4075 282-2584

SECTION 30, 309

FORM NO. 2004-91