

RESOLUTION NO. R-94- 1315

RESOLUTION APPROVING ZONING PETITION **PDD94-24**
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF WILLIAM GUNDLACH, JR., ABSOLUTE, INC.

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 **PDD94-24** was presented to the Board of County Commissioners at a public hearing conducted on September 29, 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 PDD94-24, the petition of William Gundlach, Jr., for an OFFICIAL ZONING NAP AMENDMENT (REZONING) from the Agricultural Residential (AR) ZONING DISTRICT to the Planned Unit Development (PUD) 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 September 29, 1994, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Marcus 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	--	Absent
Burt Aaronson	--	Aye
Ken Foster	--	Aye
Maude Ford Lee	--	Aye
Karen T. Marcus	--	Aye
Warren Newell	--	Aye
Carol A. Roberts	--	Absent

The Chair thereupon declared that the resolution was duly passed and adopted this 29th day of September, 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

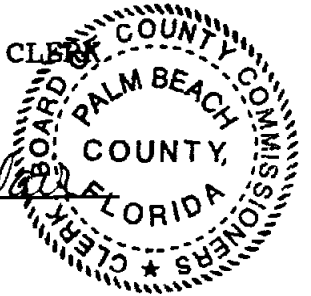


EXHIBIT A

LEGAL DESCRIPTION

Description for:
INDIAN HILLS CITRUS GROVE

LEGAL DESCRIPTION:

Tracts 49 to 54 inclusive and Tracts 75 to 80 inclusive, Block **49, The Palm Beach Farms Co. Plat No. 3**, according to the **plat** thereof recorded in Plat Book 2, Pages 45 to 54 of the Public Records of Palm Beach County, Florida.

LESS and EXCEPT the North 40 feet and the West 25 feet thereof.

Together with:

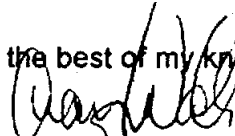
A portion of Tracts 81 to 86 inclusive and Tracts 107 to 109 inclusive, Block 49 and a portion of the 30 foot wide platted road right of way, **The Palm Beach Farms Plat No. 3**, according to the plat thereof recorded in Plat Book 2, Pages 45 to 54 of the Public Records of Palm Beach County, Florida, being more particularly described as follows:

Begin at the Southeast corner of Tract 75, Block 49, The Palm Beach Farms Company Plat No. 3; thence South 0° 56' 17" East along the Southerly prolongation of **the East** line of said Tract 75 and the East lines of Tracts 86 and 107 (the East line of said Tract 75 is assumed to bear South 0° 56' 17" East and all other bearings are relative thereto) a distance of 1255.17 feet to a point on the North right of way line of Boynton West Road (S.R. 804) according to the Florida Department of Transportation Right of **Way** Map Section No. **97930-2301**, dated November 29, 1988; thence South 89° 03' 17" West, along said right of way line, a distance of 394.46 feet to a point; thence North 0° 56' 43" West a distance of 200.00 feet to **a point**; thence radially North 89° 03' 17" East a distance of 20.00 feet to a point on a nontangent curve, concave to the West, having a radius of 240.00 feet and a **central** angle of 50° 31' 01"; thence Northerly along the arc of said curve a distance of 211.61 feet to a point; thence North **51° 27' 44"** West a distance of 452.93 feet to the beginning of a curve concave to the East having a radius of 490.00 feet and a central angle of 43° 45' 31"; thence Northerly along the arc of said curve a distance of 374.23 feet to a point; thence South 89° 03' 17" West a distance of 968.41 feet to a point on a line 25.00 feet East of and parallel with the West line of said Tract 81; thence North 0° 56' 17" West along said parallel line a distance of 261.54 feet to a point in the North line of said 30 foot wide platted road right of way; thence North 89° 03' **30"** East along said North right of way line a distance of 1955.00 feet to the Point of Beginning.

Containing in all 83.7334 acres, more or less.

I hereby certify the above description is accurate to **the best of my knowledge and belief.**

Dated: 4/19/94



Craig L. Wallace
Professional Land Surveyor
Florida Certificate No. 3357

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EXHIBIT B

VICINITY SKETCH

