

RESOLUTION NO. R-95-1002

RESOLUTION APPROVING ZONING PETITION 295-34  
OFFICIAL ZONING MAP AMENDMENT (REZONING)  
PETITION OF AMERICAN ORCHID SOCIETY, 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 Unified Land Development Code (Ordinance 92-20), have been satisfied; and

WHEREAS, Zoning Petition 295-34 was presented to the Board of County Commissioners at a public hearing conducted on July 27, 1995; 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) of the Palm Beach County Unified 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 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 295-34, the petition of American Orchid Society, Inc., for an 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 July 27, 1995, subject to the voluntary commitments 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 McCarty and, upon being put to a vote, the vote was as follows:

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

The Chair thereupon declared that the resolution was duly passed and adopted this 27th day of July, 1995.

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

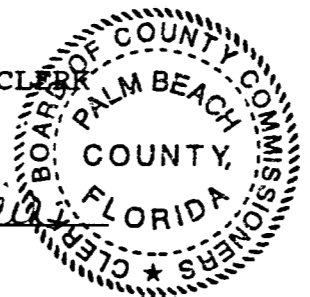


EXHIBIT A

LEGAL DESCRIPTION

DESCRIPTION

THE EAST HALF (E.1/2) OF THE SOUTHWEST QUARTER (S.W.1/4) OF THE NORTHWEST QUARTER (N.W.1/4) OF THE SOUTHWEST QUARTER (S.W.1/4) OF SECTION 27, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, **LESS THE SOUTH 30 FEET THEREOF FOR ROAD RIGHT OF WAY.**

ALSO DESCRIBED AS:

COINCIDING AT THE SOUTHWEST CORNER OF SECTION 27, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA. AS SAID SOUTHWEST CORNER HAS BEEN USED HISTORICALLY, BY O'BRIEN, SUITER & O'BRIEN, INC., LAND SURVEYORS, AND BY FLORIDA SURVEYING AND MAPPING, INC., FOR THE SURVEY OF MORIKAMI PARK AND FITS THE OCCUPATION IN SAID SECTION 27, AS REFERRED TO IN OFFICIAL RECORD BOOK 4534, PAGE 743 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE N.0°09'56"E. . ON AN ASSUMED BEARING, ALONG THE WEST LINE OF SAID SECTION 27, A DISTANCE OF 1360.09 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (N.W.1/4) OF THE SOUTHWEST QUARTER (S.W.1/4) OF SAID SECTION 27; THENCE N.89°49'26"E., ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER (N.W.1/4) OF THE SOUTHWEST QUARTER (S.W.1/4) OF SECTION 27 A DISTANCE OF 334.73 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF (E.1/2) OF THE SOUTHWEST QUARTER (S.W.1/4) OF THE NORTHWEST QUARTER (N.W.1/4) OF THE SOUTHWEST QUARTER (S.W.1/4) OF SAID SECTION 27 AND THE POINT OF BEGINNING; THENCE CONTINUE N.89°49'26"E., ALONG THE SOUTH LINE OF THE SAID EAST HALF (E.1/2) OF THE SOUTHWEST QUARTER (S.W.1/4) OF THE NORTHWEST QUARTER (N.W.1/4) OF THE SOUTHWEST QUARTER (S.W.1/4), A DISTANCE OF 334.73 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE N.0°09'29"E., ALONG THE EAST LINE OF THE SAID EAST HALF (E.1/2) OF THE SOUTHWEST QUARTER (S.W.1/4) OF THE NORTHWEST QUARTER (N.W.1/4) OF THE SOUTHWEST QUARTER (S.W.1/4) OF SAID SECTION 27, A DISTANCE OF 680.15 FEET TO THE NORTHEAST CORNER THEREOF; THENCE S.89°48'53"W., ALONG THE NORTH LINE OF THE SAID EAST HALF (E.1/2) OF THE SOUTHWEST QUARTER (S.W.1/4) OF THE NORTHWEST QUARTER (N.W.1/4) OF THE SOUTHWEST QUARTER (S.W.1/4) OF SECTION 27, A DISTANCE OF 334.69 FEET TO THE NORTHWEST CORNER THEREOF; THENCE S.0°09'42"W., ALONG THE WEST LINE OF THE SAID EAST HALF (E.1/2) OF THE SOUTHWEST QUARTER (S.W.1/4) OF THE NORTHWEST QUARTER (N.W.1/4) OF THE SOUTHWEST QUARTER (S.W.1/4) OF SAID SECTION 27, A DISTANCE OF 680.10 FEET TO THE POINT OF BEGINNING.

**LESS THE SOUTH 30 FEET THEREOF FOR ROAD RIGHT OF WAY.**

EXHIBIT B  
VICINITY SKETCH

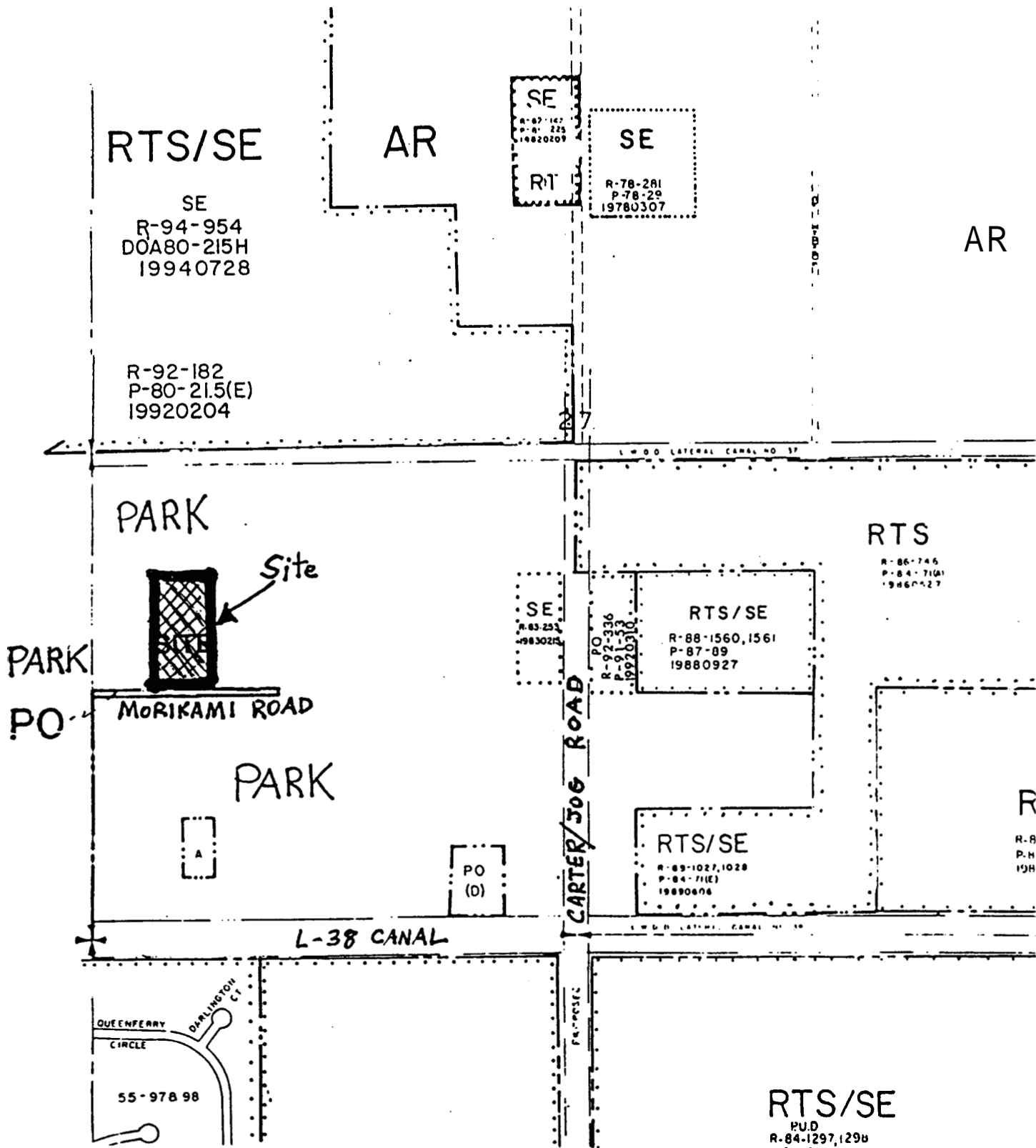


EXHIBIT C

VOLUNTARY COMMITMENTS

A. CONCURRENCY

1. A Concurrency Reservation is required prior to the issuance of the first building permit or approval of the first plat, whichever occurs first. (BUILDING/ENGINEERING-Concurrency)

B. HEALTH

1. The petitioner shall take all necessary precautions to prevent leaching into the ground water of any toxic or hazardous materials such as pesticides, fertilizers and herbicides. Any such materials shall be stored on impervious material sufficiently bermed to prevent any run off. (HEALTH)

E. ENGINEERING

1. The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project, Zoning Petition Number 95-34, to be paid at the time of issuance of the Building Permit presently is \$14,465.00 (263 trips X \$55.00 per trip). (IMPACT FEE COORDINATOR)