

RESOLUTION NO. R-95-1113

RESOLUTION APPROVING ZONING PETITION 295-41
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF PALM BEACH COUNTY
FACILITIES PLANNING, DESIGN & CONSTRUCTION

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 295-41 was presented to the Board of County Commissioners at a public hearing conducted on August 24, 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 295-41, the petition of Palm Beach County Facilities Planning, Design & Construction for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Agricultural Residential (AR) Zoning District to the Public Ownership (PO) 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 August 24, 1995, subject to the voluntary commitments described in EXHIBIT C, attached hereto and made a part hereof.

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:

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

The Chair thereupon declared that the resolution was duly passed and adopted this 24th day of August, 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

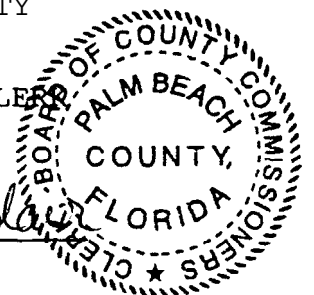


EXHIBIT A
LEGAL DESCRIPTION

Legal Description

The north 241.5 feet of the south 572 feet of the west 239 feet of the east 3,027 feet of section 33, township 42 south, range 41 east, situate, lying, and being in the county of Palm Beach, State of Florida.

EXHIBIT B
VICINITY SKETCH

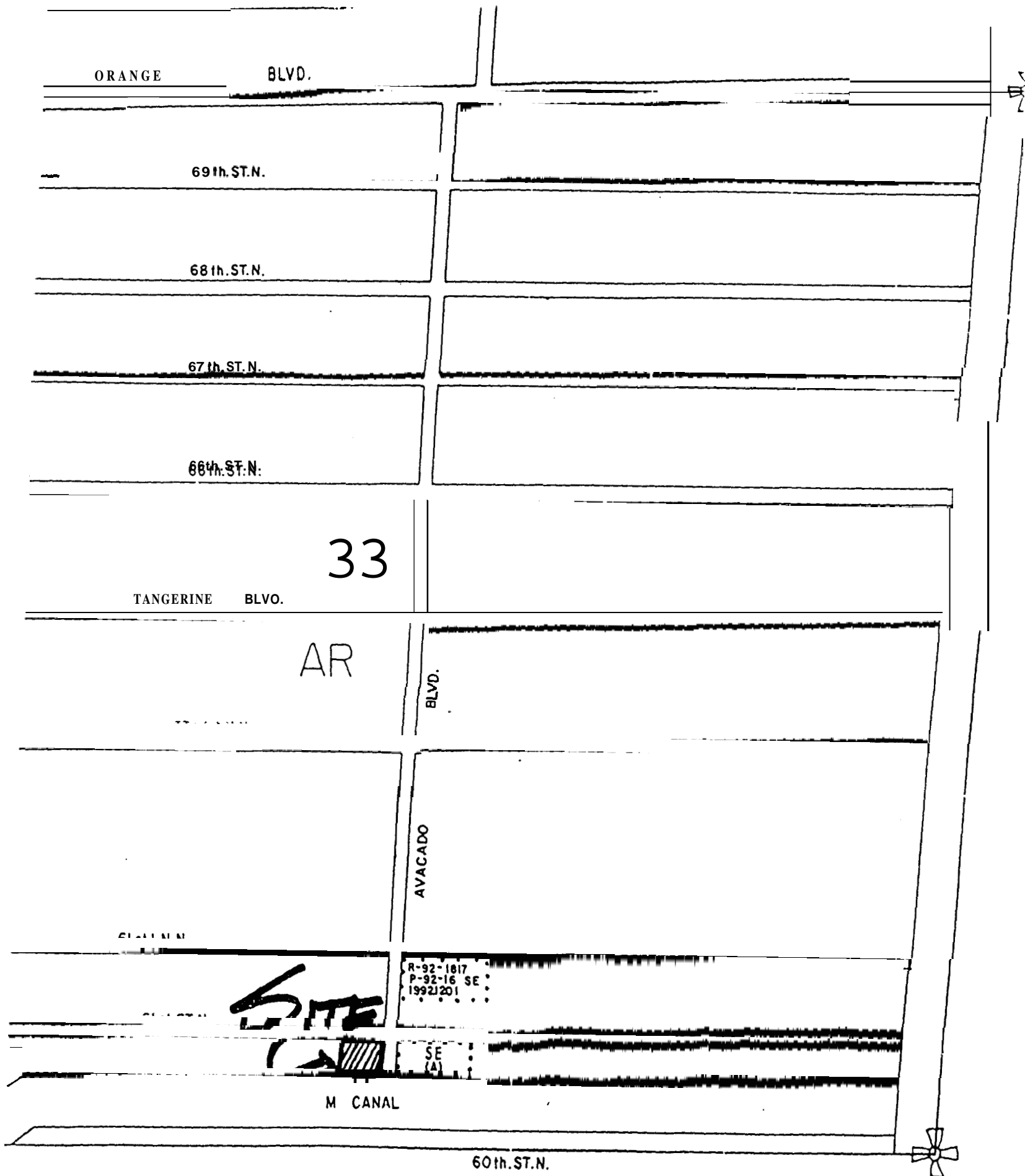


EXHIBIT C

VOLUNTARY COMMITMENTS

A. GENERAL

1. Prior to issuance of a building permit, the petitioner shall receive certification of a site plan for the site by the development Review Committee. (BUILDING-Zoning)
2. Prior to site plan certification, all necessary easements and rights-of-way adjacent to the subject property shall be corrected to accurately indicate existing conditions. (ZONING)

B. HEALTH

1. Application and engineering plans to upgrade, if necessary, the onsite sewage disposal treatment system in accordance with Chapter 10D-6 FAC and Palm Beach County ECR-I must be submitted to the Palm Beach County Public Health Unit prior to final site plan approval. (HEALTH)
2. Application and engineering plans to upgrade, if necessary, the limited use commercial water system in accordance with Chapter 10D-4 and Palm Beach County ECR-II must be submitted to the Palm Beach County Public Health Unit prior to final site plan approval. (HEALTH)

E. ENGINEERING

1. Prior to the issuance of the first Building Permit, the property owner shall relocate the existing, 60 foot roadway easement for Avocado Road to align with the current roadway presently laid out and in use. This Road easement shall also include a "Corner Clip" in the Southwest corner of the intersection of 61st Road and Avocado Boulevard. (MONITORING/BUILDING - Engineering)
2. Palm Beach County Fire Rescue shall construct 61st Road North from Avocado Road to this project's west property line. This construction shall be concurrent with the paving and drainage improvements for the site. Construction of this road shall be completed prior to the opening of the fire station. (BUILDING - Engineering).