

RESOLUTION NO. R-96- 386

RESOLUTION APPROVING ZONING PETITION 295-103  
OFFICIAL ZONING MAP AMENDMENT (REZONING)  
PETITION OF EMMETT E. & BEATRICE O. STEGALL  
BY TOM C. JENSEN, AGENT  
CONCRAFT INC. FACILITY

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 295-103 was presented to the Board of County Commissioners at a public hearing conducted on March 28, 1996; 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 BOARG OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Petition 295-103, the petition of **EMMETT E. & BEATRICE O. STEGALL** for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Multi Family Residential Medium Density(RM) Zoning District to the Light Industrial (IL) 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 March **28**, 1996, subject to the voluntary commitments described in EXHIBIT C, attached hereto and made a part hereof.

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

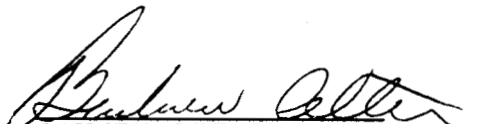
The Chair thereupon declared that the resolution **was** duly passed and adopted on **March 28, 1996**.

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

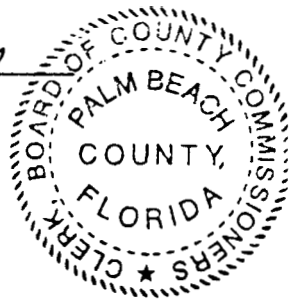


EXHIBIT A  
LEGAL DESCRIPTION

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LEGAL DESCRIPTION

CONCRAFT INC. FACILITY

THE EAST 250 FEET OF THE NORTH HALF OF THE EAST HALF OF TRACT 2, BLOCK 6, LESS THE EAST 150 FEET THEREOF, PALM BEACH FARMS PLAT NO. 3, SHEET 3, PALM BEACH COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 2, PAGE 6, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.  
CONTAINING: 77,385 SQUARE FEET OR 1.8 ACRES, MORE OR LESS.

EXHIBIT B  
VICINITY SKETCH

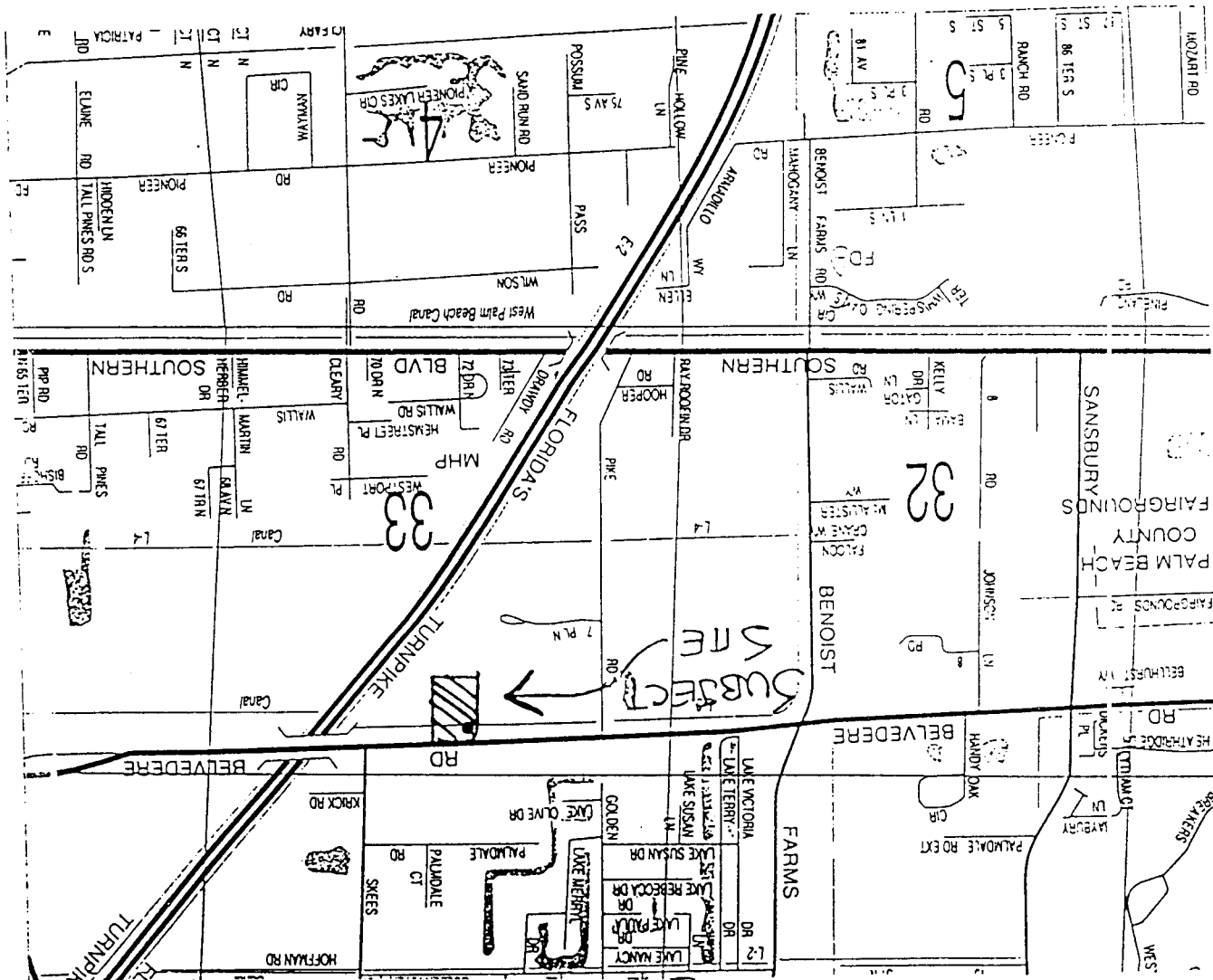


EXHIBIT C

VOLUNTARY COMMITMENTS

A. HEALTH

1. Reasonable precautions shall be taken during development to insure that unconfined particulates (dust particles) from the property do not become a nuisance to neighboring properties. (ONGOING: HEALTH / CODE ENF)

B. LWDD

1. The property owner has voluntarily agreed to convey to the Lake Worth Drainage District the South 12 feet of the North 50 feet of the East 250 feet of the North Half (N 1/2) of the East Half (E 1/2) of Tract 2, Block 6, according to the plat of The Palm Beach Farms Company Plat No. 3, as recorded in Plat Book 2, Pages 45 to 54 incl., public records of Palm Beach County, Florida Less the East 15 feet thereof, for the required right-of-way for Lateral Canal No. 3, by Quit Claim Deed or an Easement Deed in the form provided by said District prior to issuance of any building permit for this site. (BLDG PERMIT: MONITORING - Lake Worth Drainage District:

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 95-103, to be paid at the time of issuance of the Building Permit presently is \$1,325.00 (49 trips X \$55.00 per trip). (BLDG PERMIT: FAIR SHARE FEE COORDINATOR)
2. LANDSCAPE WITHIN MEDIAN
  - a. Prior to issuance of a building permit, the property owner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to landscape all adjacent median(s) of all abutting rights-of-way. When permitted by Palm Beach County Department of Engineering and Public Works, landscaping shall, at a minimum, consist of the "Low Cost Planting Concept" outlined in the Palm Beach County Engineering and Public Works Department March 1994 Streetscape Standards. All landscape material, installation, and maintenance requirements shall be subject to the standards set forth by the Streetscape Standards. If all xeriscape material is utilized, the watering of the plant material during the initial heal-in period shall be the responsibility of the property owner. Alternative species other than those listed in the County standards may be allowed subject to approval by the County Engineer. (BLDG PERMIT: MONITORING - Eng)
  - b. All required median landscaping, including an irrigation system if required shall be installed at the property owners expense. All landscape material shall also be the perpetual maintenance obligation of the petitioner and its successors, heirs or assignees or duly established Property Owner's Association and/or Homeowners's Association. Perpetual maintenance includes, but

is not limited to, pruning, fertilizing, irrigation, and alternate watering of Xeriscape material during periods of drought in order to maintain healthy plant material. All landscape material shall be installed **on or** before the issuance **of** a Certificate of Occupancy. (CO: MONITORING - Zoning)

- c. Declaration **of** Covenants and Restriction Documents shall be established or amended as required, prior to issuance **of** a certificate **of** occupancy to reflect this obligation. (CO: MONITORING - Eng)
3. Prior to March **28, 1996** or approval by the Board of County Commissioners, the deeds for the property to provide compliance with voluntary condition number E.2.a above shall **be** recorded in the Public Records, subject to approval by the County Attorney. (DATE: CTY ATTY)