

RESOLUTION NO. R-96- 814

RESOLUTION APPROVING ZONING PETITION Z96-05  
OFFICIAL ZONING MAP AMENDMENT (REZONING)  
PETITION OF INDIAN TRAIL WATER CONTROL DISTRICT  
BY KIERAN KILDAY, AGENT  
INDIAN TRAIL PARK NO. 1

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 Z96-05 was presented to the Board of County Commissioners at a public hearing conducted on April 25, 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 BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Petition Z96-05, the petition of Indian Trail Water Control District 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 April 25, 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	--	Aye
Burt Aaronson	--	Absent
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 on June 24, 1996.

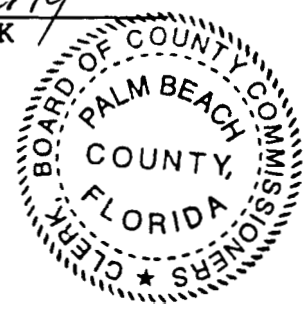
APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: *Andrew Altman*  
COUNTY ATTORNEY

BY: *Jean Hawley*  
DEPUTY CLERK



**EXHIBIT A**  
**LEGAL DESCRIPTION**

A PARCEL OF LAND LYING IN THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 32, RUN S02° 13'48"W ALONG THE EAST LINE OF SAID SECTION 32 A DISTANCE OF 1220.94 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 50 ACRES OF THE EAST HALF LESS THE WEST 100 ACRES OF SAID SECTION 32, AND POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND.

THENCE CONTINUE S02° 13'48"W ALONG THE EAST LINE OF SAID SECTION 32, A DISTANCE OF 1000.00 FEET; THENCE S89° 00'00"W ALONG A LINE PARALLEL WITH THE SOUTH LINE OF THE NORTH 50 ACRES OF THE EAST HALF LESS THE WEST 100 ACRES OF SAID SECTION 32 A DISTANCE OF 785.33 FEET; THENCE N02°13'48"E PARALLEL WITH THE EAST LINE OF SAID SECTION 32 A DISTANCE OF 1000.00 FEET; THENCE N89° 00'00"E ALONG THE SOUTH LINE OF THE NORTH 50 ACRES OF THE EAST HALF LESS THE WEST 100 ACRES OF SAID SECTION 32, A DISTANCE OF 785.33 FEET TO THE POINT OF BEGINNING.

CONTAINING 18.00 ACRES MORE OR LESS.

EXHIBIT B  
VICINITY SKETCH

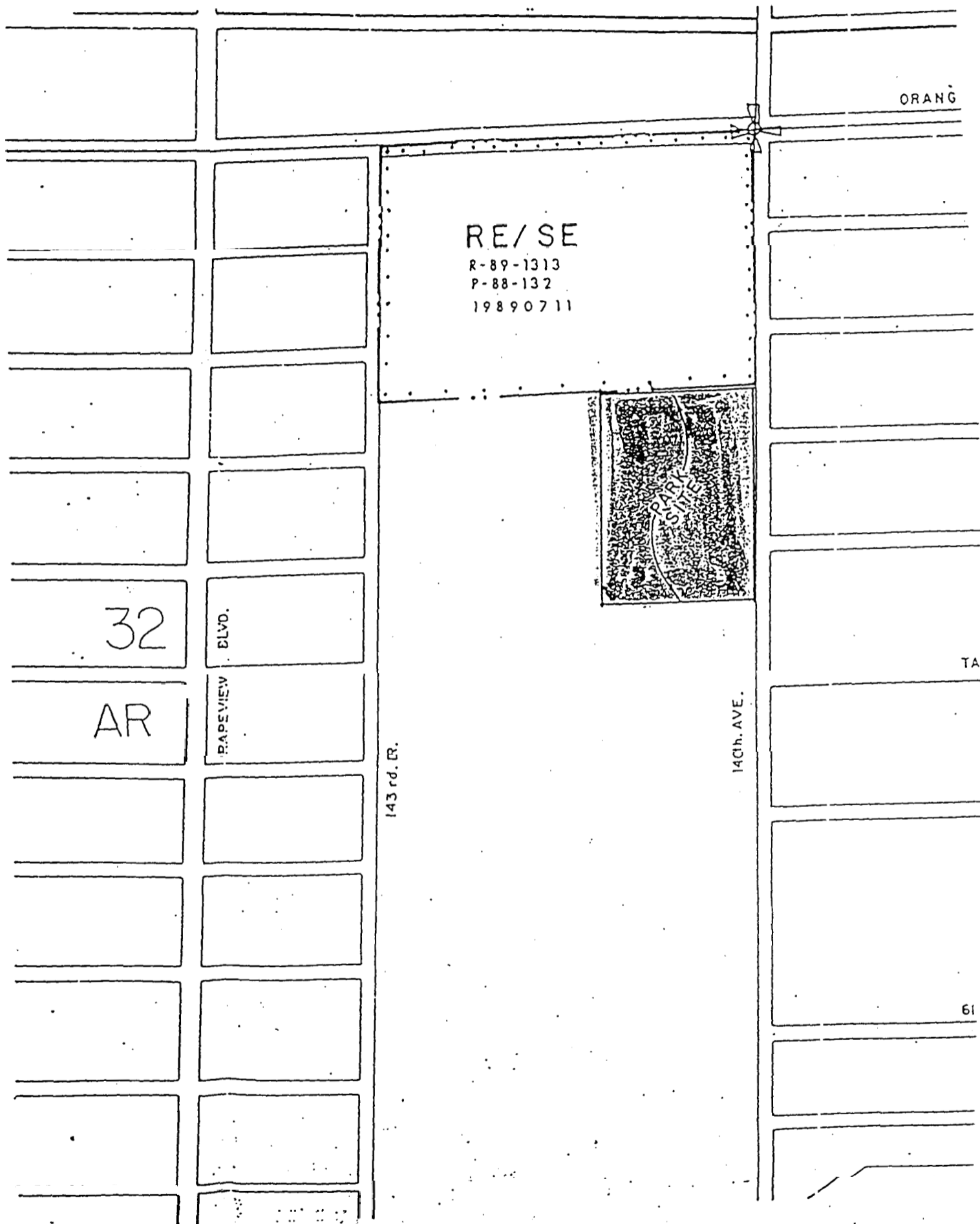


EXHIBIT C  
VOLUNTARY COMMITMENTS

A. GENERAL

1. All lighting, except security lighting, be extinguished no later than 10:00 p.m. (ONGOING: CODE ENF)

B. HEALTH

1. Application and engineering plans to construct an onsite sewage treatment and disposal system (OSTDS) 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. (DRC: Health)
2. Application and engineering plans to construct a non-community water system in accordance with Chapter 62-555 FAC and Palm Beach County ECR-II must be submitted to the Palm Beach County Public Health Unit prior to final site plan approval. (DRC: HEALTH)

C. ENVIRONMENTAL RESOURCE MANAGEMENT

1. The petitioner shall cooperate with ERM in the site planning and development of the site to maximize preservation of native plant species. In addition to the 25% set-aside preserve, native plants and trees shall be incorporated into the site plan and relocated to the greatest extent possible, specifically in the open areas between the ball fields. Trees shall be inventoried and/or tagged to indicate preservation and relocation. (VEGETATION PERMIT: ERM)

E. ENGINEERING

1. The property owner shall convey to Palm Beach County Land **Development Division** by road right-of-way warranty deed for 140th Avenue, an additional ~~10~~ **20** feet of right of way on or before July 1, 1996 or prior to the issuance of any Building Permits, whichever shall first occur. Right of way conveyances shall be along the projects entire frontage and shall be free of all encumbrances and encroachments. Developer shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. Right-of-way conveyances shall also include "Corner Clips" where appropriate as determined by the County Engineer. (DATE/BLDG. PERMIT: MONITORING/Eng)