

RESOLUTION APPROVING ZONING PETITION Z74-81(D)
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF FOX PROPERTY VENTURE
BY RUSSELL SCOTT, AGENT
(FOX PROPERTY DRI - CONSERVATION TRACT)

12/43/41

FILE COPY

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 public hearing requirements, as provided for in Article 5 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20, as amended), have been satisfied; and

WHEREAS, Zoning Petition Z74-81(D) was presented to the Board of County Commissioners at a public hearing conducted on January 6, 1997; 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 Standards) of the Palm Beach County Unified Land Development Code; 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 Z74-81(D), the petition of Fox Property Venture, by Russell Scott, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Residential Single Family (RS) Zoning District to the Preservation-Conservation (PC) 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 January 6, 1997 subject to the voluntary commitments described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Lee moved for the approval of the Resolution.

The motion was seconded by Commissioner Marcus and, upon being put to a vote, the vote was as follows:

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

The Chair thereupon declared that the resolution was duly passed and adopted on January 30, 1997.

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

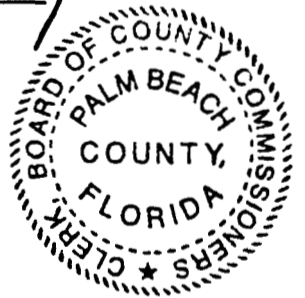


EXHIBIT A

LEGAL DESCRIPTION

**FOX PROPERTIES
WATER MANAGEMENT TRACT**

DESCRIPTION:

A PORTION OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SECTION 24, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 24; THENCE NORTH 88°48'13" WEST (BASIS OF BEARING), ALONG THE SOUTH LINE OF SAID SECTION, 98.73 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF STATE ROAD 7; THENCE NORTH 00°40'58" EAST, ALONG SAID WESTERLY RIGHT-OF-WAY, 1337.52 FEET TO THE NORTH RIGHT-OF-WAY OF OKEECHOBEE BOULEVARD; THENCE SOUTH 88°46'79" WEST, ALONG SAID NORTH RIGHT-OF-WAY, 37.79 FEET TO THE WESTERLY RIGHT-OF-WAY OF STATE ROAD 7; THENCE NORTH 01°38'49" EAST, ALONG SAID RIGHT-OF-WAY, 829.22 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 01°38'49" EAST, ALONG SAID RIGHT-OF-WAY, 440.00 FEET; THENCE NORTH 88°47'47" WEST, 1949.51 FEET; THENCE SOUTH 01°12'13" WEST, 1300.68 FEET TO THE SAID NORTH RIGHT-OF-WAY OF OKEECHOBEE BOULEVARD; THENCE SOUTH 88°47'47" EAST, ALONG SAID RIGHT-OF-WAY, 440.00 FEET; THENCE NORTH 01°12'13" EAST, 860.68 FEET; THENCE SOUTH 88°47'47" EAST, 1509.51 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.
SUBJECT TO ALL PERTINENT MATTERS OF PUBLIC RECORD.
CONTAINING 28.389 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

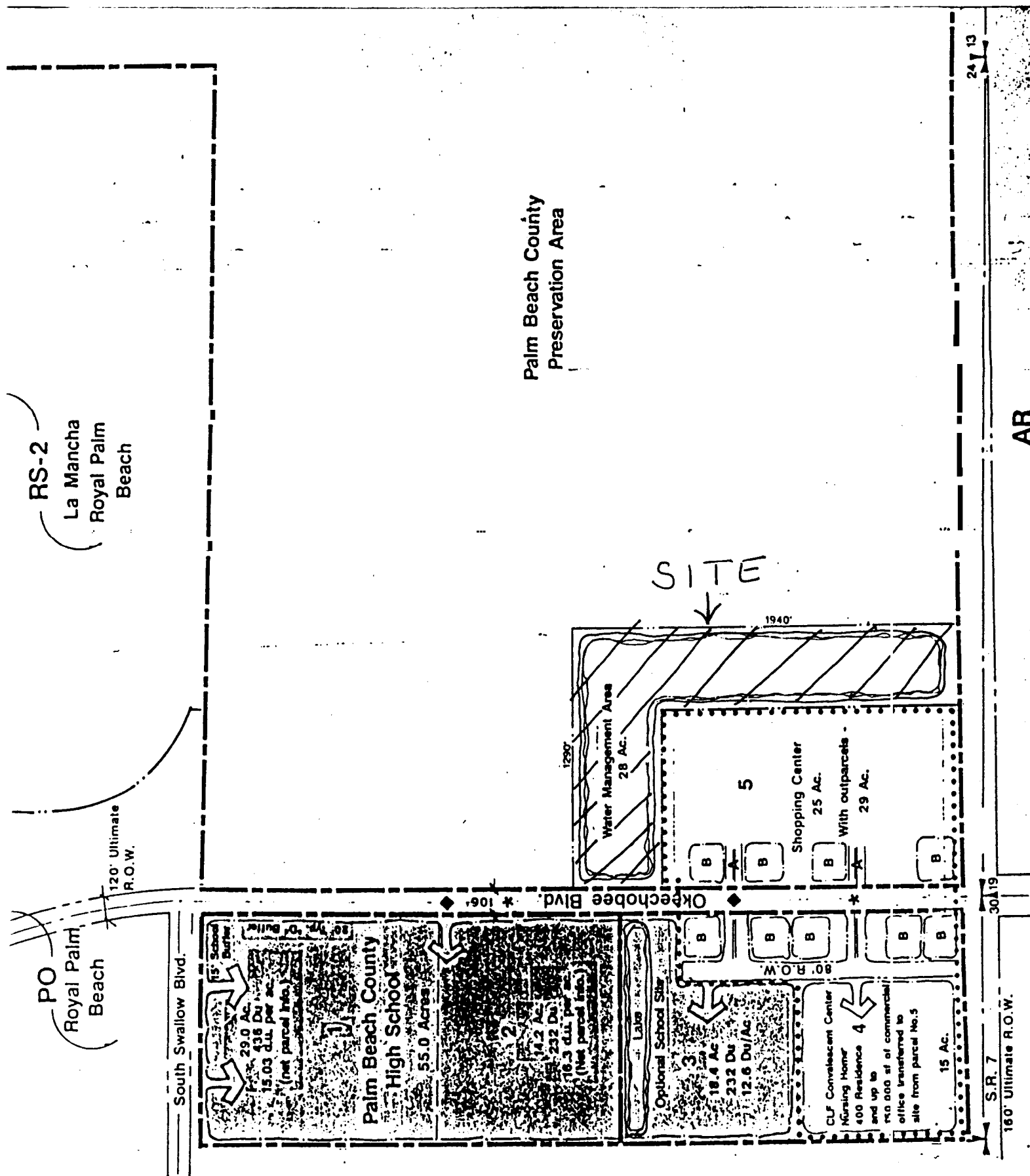


EXHIBIT C
PC REZONING
CONDITIONS OF APPROVAL

A. ALL PETITIONS

1. All conditions contained in Resolution R-74-699 are hereby repealed. (MONITORING)
2. The petitioner shall comply with all applicable previous conditions of approval contained in Resolution R-94-487 and the Final Order No. LW-93-037 for the State of Florida Land and Water Adjudicatory Commission Stipulated Settlement Agreement for FLWAC Case No. 74-18 and DCAH Case No. 77-0846, unless expressly modified. (MONITORING)
3. Development of the site is limited to the uses and general site design indicated on the master plan approved by the Board of County Commissioners. The approved master plan is Exhibit C of Settlement Agreement No. 77-0846, Final Order No. LW-93-037. All modifications must be approved by the Board of County Commissioners unless the proposed changes are in accordance with the ULDC or Settlement Agreement No. 77-0846. (ONGOING: ZONING)

E. ENGINEERING

No new conditions.