

25/97/2

**RESOLUTION APPROVING ZONING PETITION Z97-43
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF SALVATION ARMY
BY ROBERT BASEHART, AGENT
(SALVATION ARMY CHURCH & ASSEMBLY)**

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 Z97-43 was presented to the Board of County Commissioners at a public hearing conducted on October 23, 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 Z97-43, the petition of Salvation Army, by Robert Basehart, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Residential Medium Density and Neighborhood Commercial (RM & CN) Zoning District to the Residential Single Family (RS) 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 October 23, 1997.

Commissioner Newell 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:

| | | |
|----------------------------|----|--------|
| Burt Aaronson, Chair | -- | Aye |
| Maude Ford Lee, Vice Chair | -- | Aye |
| Ken Foster | -- | Absent |
| 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 October 23, 1997.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: Burt Aaronson
COUNTY ATTORNEY

BY: Joan Hawley
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN THE NORTHEAST ONE-QUARTER, (NE 1/4), OF THE NORTHEAST ONE-QUARTER, (NE 1/4), OF THE NORTHEAST ONE-QUARTER, (NE 1/4), OF SECTION 25, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 25; THENCE NORTH 87°28'34" WEST, ALONG THE NORTH LINE OF SAID SECTION 25, A DISTANCE OF 297.83 FEET; THENCE SOUTH 01°28'48" WEST, ALONG THE EAST LINE OF THE WEST 35.00 FEET OF THE EAST ONE-HALF, (E 1/2), OF THE SAID NE 1/4, OF THE NE 1/4, OF THE NE 1/4, OF SECTION 25, A DISTANCE OF 80.01 FEET TO THE INTERSECTION THEREOF WITH THE SOUTHERLY RIGHT-OF-WAY OF LAKE WORTH ROAD AS RECORDED IN ROAD PLAT BOOK 5, PAGES 125 THROUGH 138, INCLUSIVE, PUBLIC RECORDS, PALMBEACH COUNTY, FLORIDA, AND THE POINT-OF-BEGINNING;

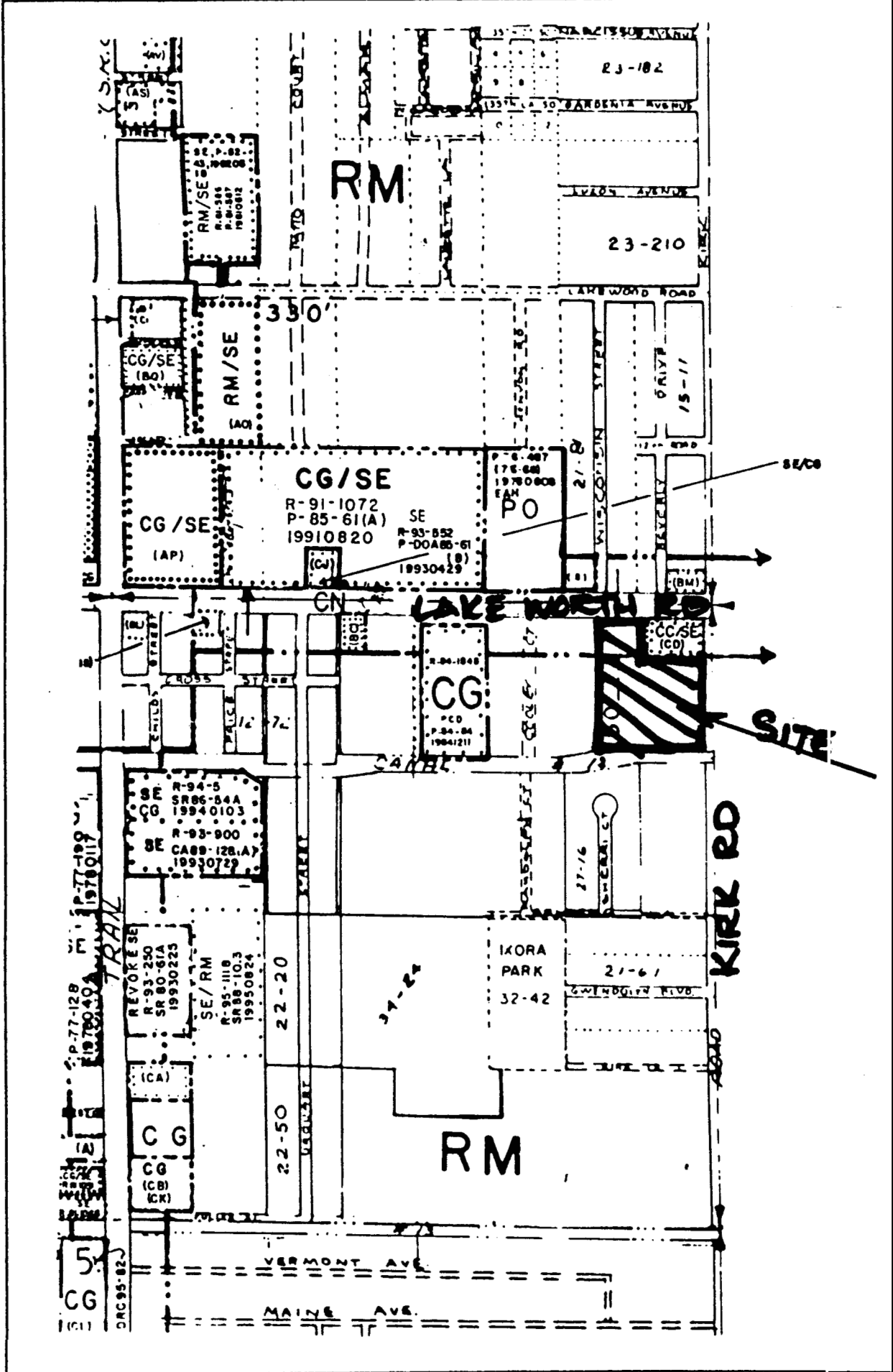
THENCE CONTINUE SOUTH 01°28'48" WEST, ALONG SAID EAST LINE, A DISTANCE OF 150.02 FEET; THENCE SOUTH 87°28'34" EAST, PARALLEL WITH SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 272.83 FEET TO THE INTERSECTION THEREOF WITH THE WESTERLY RIGHT-OF-WAY LINE OF KIRK ROAD; SAID WESTERLY RIGHT-OF-WAY LINE BEING 25.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SECTION 25; THENCE SOUTH 01°28'45" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 404.46 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF LAKE WORTH DRAINAGE DISTRICT CANAL NO 1-12; SAID NORTHERLY RIGHT-OF-WAY LINE BEING 40.00 FEET NORTH OF, AS MEASURED AT RIGHT ANGLES, AND PARALLEL WITH THE SOUTH LINE OF THE SAID NE 1/4 OF THE NE 1/4 OF THE NE 1/4 OF SECTION 25 AND ALSO DESCRIBED IN DEED BOOK 1139, PAGE 289, SAID PUBLIC RECORDS; THENCE NORTH 87°22'52" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 422.00 FEET; THENCE SOUTH 82°14'02" WEST, CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 52.96 FEET TO THE INTERSECTION THEREOF WITH THE WEST LINE OF THE EAST ONE-HALF, (E 1/2), OF THE WEST ONE-HALF, (W 1/2), OF THE NE 1/4, OF THE NE 1/4, OF THE NE 1/4, OF SECTION 25; THENCE NORTH 01°28'50" EAST, ALONG SAID WEST LINE, A DISTANCE OF 565.57 FEET TO THE INTERSECTION THEREOF WITH THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF LAKE WORTH ROAD; SAID SOUTHERLY RIGHT-OF-WAY LINE BEING A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 5729.58 FEET AND A RADIUS POINT THAT BEARS NORTH 04°08'50" EAST; THENCE EASTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 01°37'24", A DISTANCE OF 164.03 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 87°28'34" EAST, CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 37.46 FEET TO THE POINT-OF-BEGINNING.

CONTAINING: 5.10 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHT-OF-WAY OF RECORD,

EXHIBIT B

PALM BEACH COUNTY
VICINITY SKETCH/ZONING



Petition Number: 97-43
 Zoning Quad Page _____
 Date: 4/16/97

