

RESOLUTION NO. R-98-851

RESOLUTION APPROVING ZONING PETITION **Z97-120**
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF PALM BEACH COUNTY BCC
BY BURT AARONSON, CHAIR
(AGRICULTURAL RESERVE (AGR) REZONING)

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 Z97-120 was presented to the Board of County Commissioners at a public hearing conducted on May 28, 1998 and June 16, 1998; 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) 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 Z97-120, the petition of Palm Beach County BCC, by Burt Aaronson, Chair, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) rezoning parcels with an Agricultural Reserve (AGR) land use, excluding those with a dual land use, IND/AGR, CLIAGR, C/AGR and the Terra Store Property, PCN 00-42-43-27-052-0133, to the Agricultural Reserve (AGR) Zoning District on parcels 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, excluding those parcels as indicated on Exhibit C, attached hereto and made a part hereof, was approved on May 28, 1998 and June 16, 1998.

Commissioner Lee moved for the approval of the Resolution.

The motion was seconded by Commissioner Newell 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	-- Aye

The Chair thereupon declared that the resolution was duly passed and adopted on June 16, 1998.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: *[Signature]*
COUNTY ATTORNEY

BY: *[Signature]*
DEPUTY CLERK

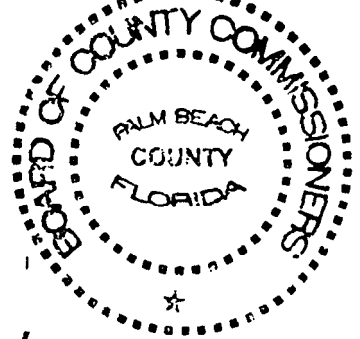


EXHIBIT A
LEGAL DESCRIPTION
PALM BEACH COUNTY
AGRICULTURAL RESERVE

LANDS LYING IN TOWNSHIP 44 ½, 45 AND 46 SOUTH, RANGES 41 AND 42 EAST
PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS:

BEGIN AT THE POINT OF INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF
THE LAKE WORTH DRAINAGE DISTRICT (L.W.D.D.) EQUALIZER CANAL 1 AS
INDICATED IN OFFICIAL RECORD BOOK 1732, AT PAGE 612 OF THE PUBLIC
RECORDS OF PALM BEACH COUNTY, FLORIDA (P.R.P.B.C.) AND THE NORTH
RIGHT-OF-WAY LINE OF CLINT MOORE ROAD AS NOW (AND FROM TIME TO
TIME) LAID OUT AND IN USE; THENCE EASTERLY ALONG SAID NORTH RIGHT-
OF-WAY LINE ACROSS THE SOUTHERLY TIERS OF BLOCKS 71 AND 70 OF THE
PALM BEACH FARMS COMPANY PLAT NO. 3 AS RECORDED IN PLAT BOOK 2 AT
PAGES 45 THRU 54, P.R.P.B.C. TO THE WEST RIGHT-OF-WAY LINE OF THE
L.W.D.D. EQUALIZER 2 WEST CANAL LYING WEST OF AND ABUTTING
FLORIDA'S TURNPIKE; THENCE NORTH ALONG SAID WEST RIGHT-OF-WAY LINE
THRU TOWNSHIP 46 SOUTH, RANGE 42 EAST AND CONTINUING NORTH ALONG
SAID WEST RIGHT-OF-WAY LINE TO A POINT OF INTERSECTION WITH THE
NORTH RIGHT-OF-WAY LINE OF L.W.D.D. CANAL L-21 IN SECTION 17,
TOWNSHIP 45 SOUTH, RANGE 42 EAST; THENCE WEST ALONG THE NORTH
RIGHT-OF-WAY LINE OF SAID L.W.D.D. CANAL L-21 THRU BLOCKS 46 AND 47 OF
SAID PALM BEACH FARMS COMPANY PLAT NO. 3 TO THE EAST RIGHT-OF-WAY
LINE OF THE L.W.D.D. EQUALIZER CANAL 1; THENCE NORTH ALONG SAID EAST
RIGHT-OF-WAY LINE TO A POINT OF INTERSECTION WITH THE EASTERLY
EXTENSION OF THE NORTH LINE OF THE SOUTH ONE-QUARTER OF SECTION
12, TOWNSHIP 45 SOUTH, RANGE 41 EAST; THENCE WEST ALONG SAID LINE
THRU SECTION 12 TO THE WEST LINE THEREOF; THENCE NORTH ALONG THE
WEST LINE OF SECTIONS 12 AND 1 (AND THE EASTERLY LINE OF SECTION 2)

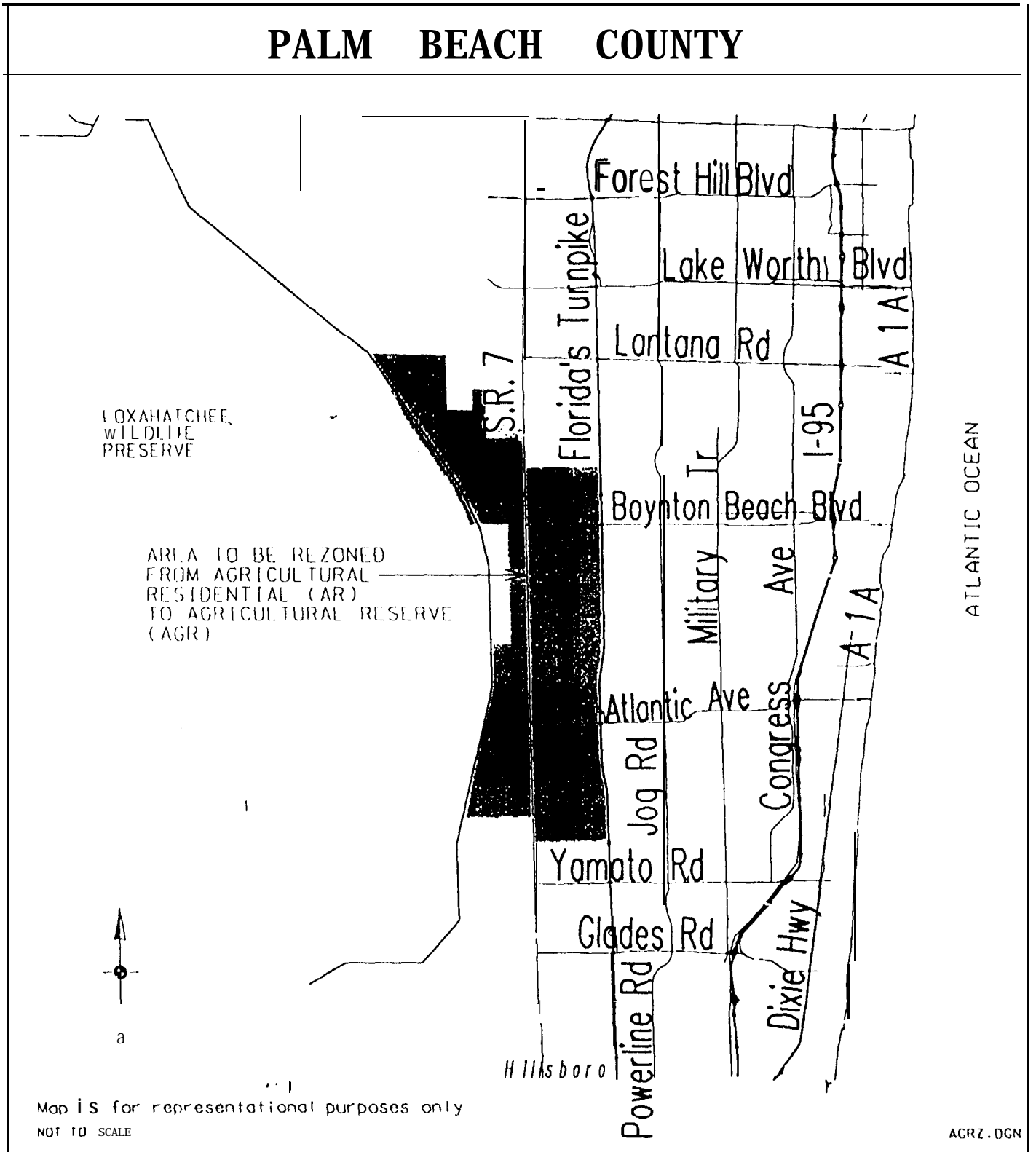
TO THE MOST NORTHERLY SOUTHEAST CORNER OF THE PLAT OF HOMELAND AS RECORDED IN PLAT BOOK 33 AT PAGE 111, P.R.P.B.C.; THENCE WEST ALONG THE MOST EASTERLY SOUTH LINE OF SAID HOMELAND TO THE MOST WESTERLY EAST LINE OF SAID HOMELAND; THENCE SOUTH ALONG SAID EASTERLY LINE TO THE SOUTH LINE OF SECTION 2 AND THE MOST SOUTHERLY SOUTH LINE OF SAID HOMELAND; THENCE WEST ALONG SAID SOUTH LINE TO THE SOUTHWEST CORNER OF SECTION 2 AND HOMELAND; THENCE NORTH ALONG SAID WEST LINE OF SECTION 2 TO THE CORNER COMMON TO THE NORTHWEST CORNER OF SAID SECTION 2 AND THE NORTHEAST CORNER OF SECTION 3; THENCE CONTINUE NORTH ALONG THE EAST LINE OF HIATUS TRACT 39, TOWNSHIP 44 ½ SOUTH, RANGE 41 EAST TO THE CORNER COMMON TO THE NORTHEAST CORNER OF SAID TRACT 39 AND THE SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 44 SOUTH, RANGE 41 EAST; THENCE WEST ALONG THE NORTH LINE OF TRACTS 39 & 40 AND THE SOUTH LINE OF SECTIONS 34 & 33 TO THE EAST RIGHT-OF-WAY LINE OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT (S.F.W.M.D.) L-40 CANAL; THENCE SOUTHEASTERLY ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT ON THE SOUTH LINE OF SECTION 23, TOWNSHIP 45 SOUTH, RANGE 41 EAST; THENCE EAST ALONG THE SOUTH LINES OF SECTIONS 23 AND 24 TO THE SOUTH QUARTER CORNER OF SAID SECTION 24; THENCE SOUTH ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SECTIONS 25 AND 36, TOWNSHIP 45 SOUTH, RANGE 41 EAST AND THE NORTH-SOUTH QUARTER SECTION LINE OF SECTION 1, TOWNSHIP 46 SOUTH, RANGE 41 EAST TO A POINT ON A LINE 100 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SECTION 1; THENCE WEST ALONG SAID SOUTH LINE TO THE EAST RIGHT-OF-WAY LINE OF THE AFOREMENTIONED L-40 CANAL; THENCE SOUTH AND THEN SOUTHWESTERLY ALONG SAID EAST RIGHT-OF-WAY LINE THRU SECTIONS 1, 12, 14, 23, 26 AND 35, TOWNSHIP 46 SOUTH, RANGE 41 EAST TO A POINT OF INTERSECTION WITH THE EAST-WEST QUARTER SECTION LINE OF SAID

SECTION 35; THENCE EAST ALONG SAID LINE THRU SECTIONS 35 AND 36 AND ON THE EASTERLY EXTENSION OF SAID LINE TO A POINT OF THE EAST RIGHT-OF-WAY LINE OF THE AFOREMENTIONED L.W.D.D. EQUALIZER 1 CANAL; THENCE SOUTH ALONG SAID LINE OF THE NORTH RIGHT-OF-WAY LINE OF CLINT MOORE ROAD AND THE POINT OF BEGINNING, EXCLUDING ANY PARCEL NOT POSSESSING AN AGRICULTURAL RESERVE (AGR) FUTURE LAND USE ATLAS (FLUA) DESIGNATION, A DUAL LAND USE, OF CL/AGR, IND/AGR, C/AGR, AND THE TERRA STORE PROPERTY, PCN 00-42-43-27-05-052-0133, AS INDICATED BY THE LETTER C ON EXHIBIT C.

F:\COMMON\ANGIE\LEGALDES.AGR

EXHIBIT B

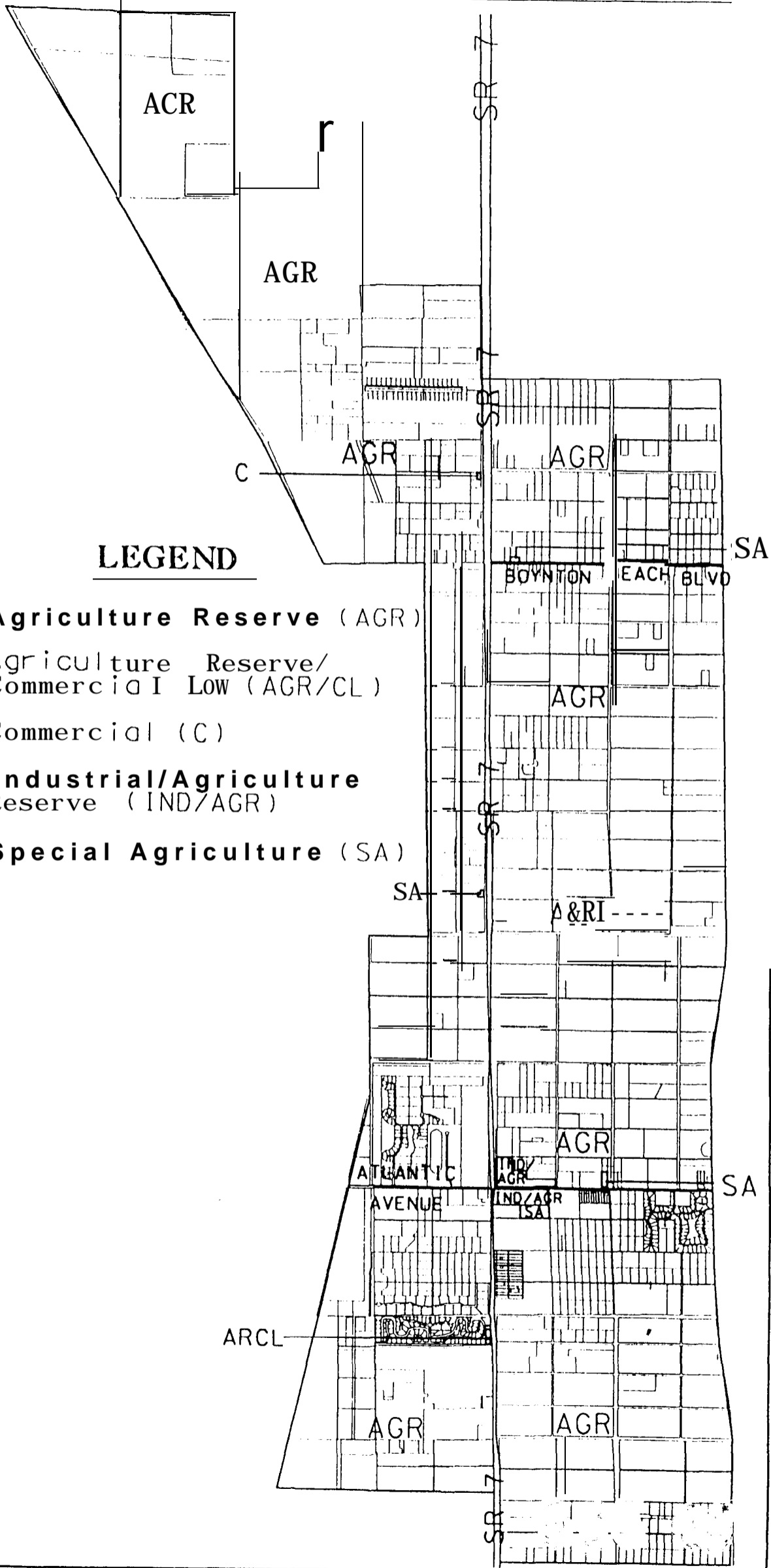
VICINITY SKETCH





AG RESERVE FUTURE LAND USE ATLAS

EXHIBIT
C



LEGEND

Agriculture Reserve (AGR)

Agriculture Reserve/
Commercial I Low (AGR/CL)

Commercial (C)

**Industrial/Agriculture
Reserve (IND/AGR)**

Special Agriculture (SA)