

RESOLUTION NO. R-99-967

RESOLUTION APPROVING ZONING PETITION Z99-019
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF ELBERT & MELODYE ABELL
BY ROBERT BASEHART, AGENT
(ABELL'S NURSERY)

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 Z99-019 was presented to the Board of County Commissioners at a public hearing conducted on May 27, 1999; 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 Z99-019, the petition of Elbert & Melodye Abell, by Robert Basehart, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Agricultural Residential (AR) Zoning District to the Residential Transitional Suburban (RTS) 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 May 27, 1999.

Commissioner Roberts moved for the approval of the Resolution.

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

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

The Chair thereupon declared that the resolution was duly passed and adopted on May 27, 1999.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: *Andrew Altier*
COUNTY ATTORNEY

BY: *Joan Hewes*
DEPUTY CLERK

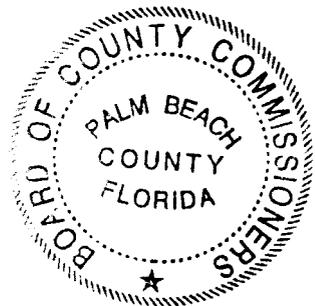


EXHIBIT A

LEGAL DESCRIPTION

THE EAST HALF OF TRACT 15 AND 16 OF HYPOLUXO FARMS, ACCORDING TO THE UNRECORDED PLAT THEREOF PREPARED BY E. ELLIOTT GROSS AND ASSOC., ENG., WEST PALM BEACH, FL, JUNE 1954, BEING A SUB-DIVISION OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SECTION 11, TOWNSHIP 45 SOUTH, RANGE 42 EAST, WHICH NORTHEAST CORNER IS 2,652.23 FEET WESTERLY FROM THE CENTERLINE OF MILITARY TRAIL; THENCE SOUTHERLY ALONG THE EAST LINE OF SECTION 11, A DISTANCE OF 678.52 FEET; THENCE WESTERLY MAKING AN ANGLE OF 97°37'24" WITH THE PRECEDING COURSE, MEASURED FROM NORTH TO WEST, A DISTANCE OF 649.89 FEET; THENCE NORTHERLY MAKING AN ANGLE OF 87°45'54", MEASURED FROM EAST TO NORTH, A DISTANCE A DISTANCE OF 679.52 FEET TO A POINT IN THE NORTH LINE OF SAID SECTION 11; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SECTION 11 A DISTANCE OF 666.295 FEET TO A POINT OF BEGINNING, EXCEPTING THEREFROM, THE NORTH 56 FEET AS CANAL RIGHT-OF-WAY.

EXHIBIT B
VICINITY SKETCH

