

RESOLUTION NO. R-99- 2255

RESOLUTION APPROVING ZONING PETITION Z77-022(A)
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF DARL MUSGROVE
BY DARL MUSGROVE, AGENT
(PA-JA VILLAS)

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 Z77-022(A) was presented to the Board of County Commissioners at a public hearing conducted on December 2, 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 Z77-022(A), the petition of Darl Musgrove, by Darl Musgrove, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Residential High Density (RH) Zoning District to the General Commercial (CG) 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 December 2, 1999.

Commissioner Masilotti moved for the approval of the Resolution.

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

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

The Chair thereupon declared that the resolution was duly passed and adopted on December 2, 1999.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: *Paula Altier*
COUNTY ATTORNEY

BY: *Joan Harvey*
DEPUTY CLERK

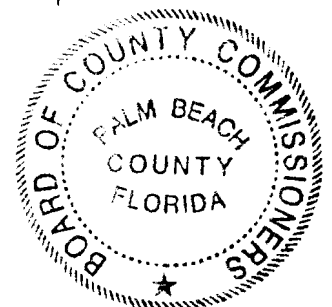


EXHIBIT A

LEGAL DESCRIPTION

A parcel of land in Government Lot 6, Section 31, Township 40 South, Range 43 East, Palm Beach County, Florida, more particularly described as follows: Commencing at the point of intersection of the center line of State Road No. 5 with the South line of said Township 40 South, Range 43 East, said point being 314.2 feet East of a standard United States General Land Office meander corner of survey of 1922; thence northwesterly, making an angle with said Township line, measured from West to northwesterly of $58^{\circ}-43'-40''$ a distance of 352.24 feet; thence northwesterly, making an angle of deflection to the West from the preceding course, of $32^{\circ}-20'$, a distance of 329.03 feet to a three-inch iron pipe in the southerly right-of-way line of said State Road No. 5; thence continue along the same course northwesterly and along the southerly right-of-way line of said State Road No. 5, a distance of 500 feet to the point of beginning and the northeasterly corner of the parcel of land herein described; thence continue northwesterly along the same course, and along said southerly right-of-way line a distance of 100 feet; thence due South and making an angle with the preceding course, measured from south-easterly to South of $63^{\circ}-41'-17''$, a distance of 210 feet, more or less, to a point in the water's edge of the Loxahatchee River (Intracoastal Waterway); thence easterly along the said water's edge, a distance of 75 feet, more or less, to a point in a line running southerly from the point of beginning and making an angle with said southerly right-of-way line of State Road No. 5, measured from southeasterly to southerly of $68^{\circ}-53'$; thence northerly along said northerly and southerly line, a distance of 185 feet, more or less, to the point of beginning.

EXHIBIT B
VICINITY SKETCH

