

RESOLUTION NO. R-2008-0005

RESOLUTION APPROVING ZONING APPLICATION Z2007-0184
(CONTROL NO. 1979-044)
OFFICIAL ZONING MAP AMENDMENT (REZONING)
APPLICATION OF FLORIDA HINDU CULTURAL & RELIGIOUS ASSOCIATES
BY LAND RESEARCH MANAGEMENT, INC., AGENT
(FLORIDA HINDU CULTURAL & RELIGIOUS ASSOCIATION)

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 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067), have been satisfied; and

WHEREAS, Zoning Application Z2007-184 was presented to the Board of County Commissioners at a public hearing conducted on January 3, 2008;

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 has considered the findings in the staff report and 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 stated purpose and intent and requirements of the Palm Beach County Unified Land Development Code. The rezoning request is also consistent with the requirements of all other applicable local land development regulations.
3. This official zoning map amendment (rezoning) is compatible and generally consistent with existing uses and zones surrounding the subject land, and is the appropriate zoning district for the land.
4. The applicant has demonstrated that there are sufficient changed conditions or circumstances that require an amendment.
5. 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.
6. This official zoning map amendment (rezoning) will result in a logical, orderly and timely development pattern.
7. This official zoning map amendment is consistent with applicable Neighborhood Plans.
8. This official zoning map amendment (rezoning) complies with Article 2.F (CONCURRENCY) of the Palm Beach County Unified Land Development Code.

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) 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 Application Z2007-184, the application of Florida Hindu Cultural & Religious Associates, by Land Research Management, Inc., agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Residential Estates Zoning District to the Residential Transitional 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 January 3, 2008.

Commissioner Aaronson 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:

Addie L. Greene, Chairperson	- Aye
Jeff Koons, Vice Chair	- Aye
Karen T. Marcus	- Aye
Robert J. Kanjian	- Absent
Mary McCarty	- Absent
Burt Aaronson	- Aye
Jess R. Santamaria	- Absent

The Chairperson thereupon declared that the resolution was duly passed and adopted on January 3, 2008.

Filed with the Clerk of the Board of County Commissioners on January 3, 2008.

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

SHARON R. BOCK,
CLERK & COMPTROLLER

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK



EXHIBIT A
LEGAL DESCRIPTION

EXHIBIT "A"

LOT 6, FOREST CREEK ESTATES (UNRECORDED)

A PARCEL OF LAND BEING A PORTION OF TRACT 16, BLOCK 11, THE PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45; PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL OF LAND BEING SPECIFICALLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID TRACT 16; THENCE, BEAR NORTH 88°59'50" EAST, ALONG THE NORTH LINE OF SAID TRACT, A DISTANCE OF 371.20 FEET TO THE POINT OF BEGINNING:

THENCE, CONTINUE NORTH 88°59'50" EAST, ALONG SAID NORTH TRACT LINE, A DISTANCE OF 185.60 FEET TO THE INTERSECTION THEREOF WITH THE WEST LINE OF THAT CERTAIN PARCEL CONVEYED TO FLORIDA STATE TURNPIKE AUTHORITY, PER WARRANTY DEED RECORDED IN DEED BOOK 1167, PAGE 31 OF SAID PUBLIC RECORDS; THENCE, SOUTH 01°12'09" EAST, ALONG SAID WEST LINE, DEPARTING SAID NORTH LINE, A DISTANCE OF 642.01 FEET TO THE INTERSECTION THEREOF WITH THE NORTH LINE OF THE SOUTH 18.00 FEET OF SAID TRACT 16; THENCE, SOUTH 89°02'58" WEST, DEPARTING SAID WEST LINE AND ALONG SAID NORTH LINE, BEING THE NORTH LINE OF THAT CERTAIN RIGHT-OF-WAY GRANTED TO PALM BEACH COUNTY, PER RIGHT-OF-WAY DEED RECORDED IN DEED BOOK 949, PAGE 554 OF SAID PUBLIC RECORDS, A DISTANCE OF 186.73 FEET; THENCE, NORTH 01°06'08" WEST, DEPARTING SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 641.84 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.74 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.

NOTE: This Commitment consists of insert pages labeled in Schedule A, Schedule B-Section 1, and Schedule B-Section 2. This commitment is of no force and effect unless all schedules are included, along with any Rider pages incorporated by reference in the insert pages.

Commitment #: CM-1-FL3451-05-567

05-567

File #: 05-13284

EXHIBIT B
VICINITY SKETCH

