

RESOLUTION NO. R-2009- 0359

RESOLUTION APPROVING ZONING APPLICATION Z/ABN-2008-01681
(CONTROL NO. 1988-00017)
OFFICIAL ZONING MAP AMENDMENT (REZONING)
APPLICATION OF PALM BEACH COUNTY
BY COTLEUR & HEARING, INC., PALM BEACH COUNTY, AGENT
(PALM BEACH COUNTY FIRE RESCUE #34)

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 Z/ABN-2008-01681 was presented to the Board of County Commissioners at a public hearing conducted on February 25, 2009; 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 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 Z/ABN-2008-01681, the application of Palm Beach County, by Cotleur & Hearing, Inc., Palm Beach County, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the RE Zoning District to the PO 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 February 25, 2009.

Commissioner Marcus 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:

Commissioner John F. Koons, Chairman	-	Aye
Commissioner Burt Aaronson, Vice Chairman	-	Aye
Commissioner Karen T. Marcus	-	Aye
Commissioner Shelley Vana	-	Aye
District 4	-	
Commissioner Jess R. Santamaria	-	Aye
Commissioner Addie L. Greene	-	Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on February 25, 2009.

Filed with the Clerk of the Board of County Commissioners on March 3rd, 2009.

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

TRACT 1, BLOCK 11, PALM BEACH FARMS COMPANY PLAT NO. 3, LESS THE NORTH 220 FEET, AND LESS THE EAST 40 FEET BY VIRTUE OF CONVEYANCES IN DEED BOOK 67, PAGE 446 AND OFFICIAL RECORD BOOK 8049, PAGE 1685, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54.

LESS: THAT PORTION OF TRACT 1 CONVEYED TO FLORIDA STATE TURNPIKE AUTHORITY BY WARRANTY DEED DATED OCTOBER 19, 1952 AND RECORDED IN DEED BOOK 1167, PAGE 31, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

ALSO LESS:

THE RIGHT OF WAY FOR BENOIST FARMS ROAD AS SHOWN IN PALM BEACH COUNTY RESOLUTION NO. R-93-915, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

EXHIBIT B
VICINITY SKETCH

