

RESOLUTION NO. R-2012- 1067

RESOLUTION APPROVING ZONING APPLICATION Z-2012-00385
(CONTROL NO. 2012-00090)
an Official Zoning Map Amendment
APPLICATION OF Boynton Beach Associates XXII LLLP
BY G.L. Homes, AGENT
(Somerset Academy Charter School 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 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067, as amended), have been satisfied; and

WHEREAS, Zoning Application Z-2012-00385 was presented to the Board of County Commissioners at a public hearing conducted on July 26, 2012; 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 pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067, as amended) is authorized and empowered to consider, approve, approve with conditions or deny the request; and

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner; and

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS hereby incorporates by reference the Findings of Fact in the staff report addressing the standards contained in Article 2.B.1.B.

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-2012-00385, the application of Boynton Beach Associates XXII LLLP, by G.L. Homes, agent, for an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Agricultural Reserve (AGR) 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 July 26, 2012.

Commissioner Abrams 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 Shelley Vana, Chair	-	Aye
Commissioner Steven L. Abrams, Vice Chairman	-	
Commissioner Karen T. Marcus	-	Aye
Commissioner Paulette Burdick	-	Nay
Commissioner Burt Aaronson	-	Aye
Commissioner Jess R. Santamaria	-	Aye
Commissioner Priscilla A. Taylor	-	Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on July 26, 2012.

Filed with the Clerk of the Board of County Commissioners on July 31, 2012.

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 FLORIDA



EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION:
AMESTOY CHARTER SCHOOL SITE

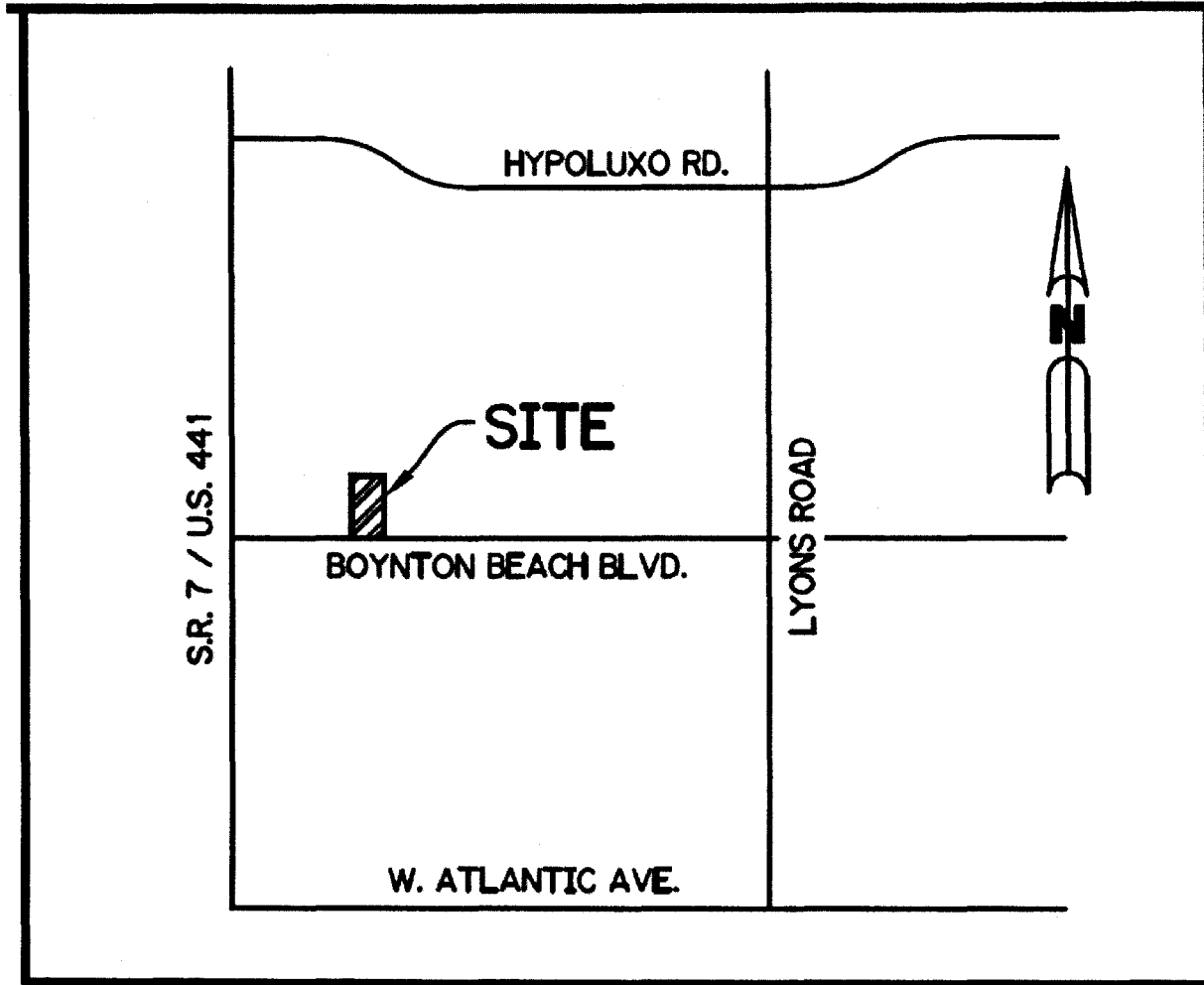
BEING A PORTION OF TRACTS 93, 94 105 AND 106 AND A PORTION OF ROAD, DYKE AND DITCH RESERVATION, 30 FEET IN WIDTH, ALL LYING WITHIN BLOCK 51, PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF TRACT 95 OF SAID BLOCK 51; THENCE SOUTH 00°57'00" EAST, ALONG THE EAST LINE OF SAID TRACT 95, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING OF HEREIN DESCRIBED PARCEL OF LAND; THENCE NORTH 89°03'00" EAST, A DISTANCE OF 506.43 FEET; THENCE SOUTH 00°57'00" EAST ALONG A LINE 476.43 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALELL WITH THE WEST LINE OF SAID TRACTS 94 AND 105, A DISTANCE OF 1204.17 FEET THENCE SOUTH 89°02'44" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF BOYNTON BEACH BOULEVARD ACCORDING TO OFFICIAL RECORDS BOOK 16189, PAGE 1405, SAID PUBLIC RECORDS, A DISTANCE OF 506.43 FEET; THENCE NORTH 00°57'00" WEST ALONG THE EAST LINE OF TRACTS 95 AND 104 OF SAID BLOCK 51, A DISTANCE OF 1204.21 FEET TO THE POINT OF BEGINNING.

CONTAINING 14.000 ACRES, MORE OR LESS.

EXHIBIT B

VICINITY SKETCH



LOCATION MAP

NOT TO SCALE